

1
2 UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 DELUX PUBLIC CHARTER, LLC d/b/a JSXAIR and
JETSUITEX, INC.; XO GLOBAL, LLC; and BLADE
5 URBAN AIR MOBILITY, INC.,

PLAINTIFFS,

6 -against-

Case No.:

7:22-CV-01930 (pmh)

7
8 COUNTY OF WESTCHESTER, NEW YORK, a charter
county; APRIL GASPARRI, in her official
9 capacity as AIRPORT MANAGER; and AVPORTS,
LLC,

DEFENDANTS.

10 -----X
11 DATE: February 13, 2023

12 TIME: 10:00 A.M.
13

14 DEPOSITION of the DEFENDANT, THE
15 COUNTY OF WESTCHESTER, NEW YORK, a charter
16 county, by a Witness, NICHOLAS HARTMAN,
17 taken by the Plaintiff, pursuant to Court
18 Order, held at the law offices of Dorf &
19 Nelson, LLP., 555 Theodore Fremd Avenue,
20 Rye, New York 10580, before Joanne
21 Sheridan, a Notary Public of the State of
22 New York.
23
24
25

A P P E A R A N C E S:

DORF & NELSON, LLP

Attorneys for Plaintiffs

555 Theodore Fremd Avenue

Rye, New York 10580

BY: PAUL NOTO, ESQ.

-and-

CHRISTINA GRIMES, ESQ.

TROUTMAN, PEPPER, HAMILTON, SANDERS, LLP

Attorneys for Plaintiffs

5 Park Plaza, Suite 1400

Irvine, California 92614-2545

(Not Present)

OFFICE OF THE WESTCHESTER COUNTY ATTORNEY

Attorneys for Defendants

148 Martine Avenue, Suite 600

White Plains, New York 10601

BY: PHOENIX MARINO, ESQ.,

Assistant County Attorney

-and-

SEAN CAREY, ESQ.,

Senior Assistant County Attorney

*

*

*

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED,
by and between the counsel for the
respective parties herein, that the
sealing, filing and certification of the
within deposition be waived; that the
original of the deposition may be signed
and sworn to by the witness before anyone
authorized to administer an oath, with the
same effect as if signed before a Judge of
the Court; that an unsigned copy of the
deposition may be used with the same force
and effect as if signed by the witness, 30
days after service of the original & 1 copy
of same upon counsel for the witness.

IT IS HEREBY STIPULATED AND AGREED
that all objections as to form are reserved
to the time of trial.

*

*

*

1 N. HARTMAN

2 N I C H O L A S H A R T M A N, called as a
3 witness, having been first duly sworn by a
4 Notary Public of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY

7 MR. NOTO:

8 Q. Please state your name for the
9 record.

10 A. Nicholas Hartman

11 Q. What is your address?

12 A. 516 Pelhamdale Avenue, Pelham
13 Manor, New York 10803.

14 Q. Mr. Hartman, good morning.

15 A. Good morning.

16 Q. My name is Paul Noto. I
17 represent the plaintiffs, with me is
18 Christina Grimes. We're going to ask you
19 some questions. A few ground rules. This
20 is a verbal, so if I ask you a question,
21 I'd appreciate your answers have to be
22 verbal, so a nod of the head, whatnot,
23 doesn't really work, the reporter needs to
24 get it down.

25 If I ask a question and you

1 N. HARTMAN

2 don't understand it I can try to rephrase
3 it. If I ask a question and your attorneys
4 object, you should wait until we decide if
5 you can answer or not, they will direct you
6 answer, don't answer.

7 If you want to take a break,
8 let me know and we'll have to do that. And
9 if you need anything, we'll take a break,
10 we have obviously anything you need here,
11 drinks, or food.

12 A. Okay.

13 Q. We have your address in Pelham.
14 What is your date of birth?

15 A. March 2nd, 1981.

16 Q. And what is your educational
17 background?

18 A. I have a Bachelor's degree in
19 chemistry from Penn State University and a
20 Ph.D. in biochemistry from the University
21 of Cambridge.

22 Q. And are you employed?

23 A. Yes.

24 Q. And where are you employed?

25 A. Amazon Web Services.

1 N. HARTMAN

2 Q. And where do you work out of?

3 A. My office is in midtown
4 Manhattan.

5 Q. And did you meet with anyone
6 prior to your deposition today?

7 A. In regards to the deposition?

8 Q. In regard to this deposition.

9 A. Yes.

10 Q. And who was that?

11 A. The attorneys here.

12 Q. Okay. And did you review any
13 documents or notes with them prior to
14 today's testimony?

15 A. Yes.

16 Q. And what notes and documents
17 were those?

18 A. It was a binder full of
19 previous correspondence and meeting minutes
20 and such.

21 Q. So, do you have a pilot's
22 license?

23 A. Yes.

24 Q. And when did you obtain that?

25 A. I believe it was 2015. I could

1 N. HARTMAN

2 tell you exactly if you need to know, but
3 it was --

4 Q. No, I don't need exactly, the
5 year is fine.

6 A. -- about 2015.

7 Q. And, so, what does that license
8 permit you to fly, what types of aircraft?

9 A. I have a single-engine private
10 pilot license, so I can fly single-engine
11 aircraft up to 12,500 pounds under FAA Part
12 91.

13 Q. And do you own an aircraft?

14 A. I do, yes.

15 Q. What kind of aircraft?

16 A. It's a Trinidad. It's -- yeah,
17 2001 Trinidad.

18 Q. Is it propeller --

19 A. Yes, single-engine propeller
20 aircraft.

21 Q. And where do you keep that
22 aircraft?

23 A. It's parked at Atlantic West at
24 Westchester County airport.

25 Q. And Atlantic West is what?

1 N. HARTMAN

2 A. It's an FBO, fixed-base
3 operator.

4 Q. So, you're familiar with what
5 an FBO is?

6 A. Yes.

7 Q. So, I'm going to ask you that
8 later. How long have you lived in
9 Westchester County?

10 A. Since 2008.

11 Q. And where did you live before
12 that?

13 A. At six months prior to that I
14 was living in Pennsylvania, and then for
15 the four and a half years before that I
16 lived in the United Kingdom.

17 Q. Where in the United Kingdom?

18 A. Cambridge.

19 Q. So, what year were you
20 appointed to the Airport Advisory Board?

21 A. I believe it was January of
22 2019 if my memory is correct.

23 Q. And who appointed you to that
24 board?

25 A. The County Executive.

1 N. HARTMAN

2 Q. And how did you get that
3 appointment? Did you solicit it?

4 A. No.

5 Q. Did he solicit you? Explain to
6 me the genesis of it.

7 A. Yeah. I was approached by, I
8 believe it was Susan Spear, who was at the
9 time I think an assistant relative to
10 infrastructure, or something in that realm,
11 had called me and asked if it was something
12 I'd be interested in doing. We had a few
13 conversations about it, and then I was
14 nominated by the County Executive, and
15 there was like a hearing with the Board of
16 Legislatures, and then after that I was
17 appointed.

18 Q. And how did you come to Susan
19 Spear's attention, like how did she --

20 A. As it was explained to me, I
21 had been attending Airport Advisory Board
22 meetings prior, in the year or so leading
23 up to that time, and also a number of other
24 county meetings. This was around the time
25 when the county was considering this

1 N. HARTMAN

2 privatization proposal, and I had been at a
3 number of those meetings and made
4 statements and comments, and I think that's
5 probably how I fell on the radar of the
6 county.

7 Q. Were the statements or comments
8 you made about privatization supportive
9 or --

10 A. Generally not, no.

11 Q. So, did you think that that
12 proposal was a good one or a bad one?

13 MS. MARINO: Objection. You
14 can answer.

15 MR. NOTO: Objection as to form
16 or...?

17 MS. MARINO: Yeah.

18 A. I did not like it because --
19 yeah, I did not like it.

20 Q. Why didn't you like it?

21 A. Because it would remove the
22 county's ability to have a lot of day-to-
23 day control over the airport, and a number
24 of elements of the proposal did not look
25 like they would be favorable to like

1 N. HARTMAN

2 general aviation, which is sort of where my
3 interest in the airport ultimately lie,
4 being a customer of the airport or a tenant
5 of the airport.

6 Q. Have you served on any other
7 board or commission of the county?

8 A. No.

9 Q. And do you serve on any local
10 board or commission, you know, in Pelham or
11 anywhere else?

12 A. Not in a -- for a government
13 scenario.

14 Q. Do you belong to any civic
15 organizations?

16 A. No. I mean I'm a member of the
17 Westchester County -- or Westchester
18 Aviation Association, but I wouldn't
19 describe that as a civic organization.

20 Q. And how would you describe it?

21 A. It's an aviation, a group of
22 aviation, local aviation interests.

23 Q. And is it mostly aircraft
24 owners?

25 A. It's a mix of essentially all

1 N. HARTMAN

2 elements of aviation that are not the
3 commercial airlines, so there's corporate
4 operators in there, there's charter
5 operators, private pilots, student pilots.

6 Q. Can anybody join?

7 A. Yes.

8 Q. So, if I don't own a plane I
9 can join?

10 A. Yes.

11 Q. Is there a fee to join?

12 A. I think it's a \$35 a year or
13 something to that effect.

14 Q. So, there's no membership
15 requirement?

16 A. No, just sign up. And we also
17 host a lot of events which are free to
18 anybody to attend.

19 Q. Does the Westchester Aviation
20 Association advocate with the county for
21 any particular policies related to the
22 airport?

23 A. It has at times in the past,
24 yes.

25 Q. Can you describe a recent

1 N. HARTMAN

2 lobbying effort by the association?

3 A. I think the two recent ones,
4 one the privatization, which I mentioned
5 earlier, which generally was advocating
6 against the privatization, and more
7 recently some elements of this hangar
8 proposal that Million Air has -- is
9 currently in discussion with the county.

10 Q. And has the Westchester
11 Aviation Association taken a position on
12 the Million Air hangar issue?

13 A. I don't know that it formally
14 has, but members of it definitely have
15 generally, so yeah.

16 Q. As a member, have you taken a
17 position on it?

18 A. Yes.

19 MS. MARINO: Object to form.

20 You can answer.

21 A. Yes.

22 Q. And what is that position?

23 A. Well, there's kind of two
24 aspects to it. There's the work that
25 they've already completed, and there's the

1 N. HARTMAN

2 work that they are proposing, which is the
3 work that they're proposing is demolishing
4 some light GA infrastructure.

5 Q. Can you explain what GA is?

6 A. General aviation.

7 Q. Thank you.

8 A. And by general aviation is less
9 than 12,500 pounds, just to define that
10 term. There's a proposal to demolish some
11 light general aviation infrastructure and
12 replace it with a single, very large
13 hangar, and so I've been very vocal that
14 that's not a good idea, because there's
15 significant demand for the facility that is
16 currently there in its current form.

17 Q. So, your position is based on
18 the fact that it's not needed because
19 there's already a demand, is that --

20 A. Well, the position -- my
21 personal position is more on the grounds
22 that the proposal would demolish a facility
23 that is very much in demand and replace it
24 with something that is different. So, I'm
25 not necessarily against Million Air wanting

1 N. HARTMAN

2 to have a new hangar, but I am against them
3 destroying other facilities to make room
4 for a bigger hangar.

5 Q. When you were advocating on the
6 privatization issue, do you recall if the
7 county had sent out an RFP, a request for
8 proposals, on that issue to solicit, you
9 know, companies to come in and run the
10 airport?

11 MS. MARINO: Object to form.

12 You can answer.

13 A. I'm aware that they were
14 soliciting proposals to -- what proposal
15 for privatization looks like, I wasn't
16 aware if that was specifically an RFP or in
17 another sense.

18 Q. So you, personally, never saw
19 an RFP?

20 A. I don't believe so, no.

21 Q. And this predated your time on
22 the AAB?

23 A. Correct.

24 Q. Do you file an Annual Financial
25 Disclosure form with the county?

1 N. HARTMAN

2 A. Yes.

3 Q. And are you current in that,
4 that you've filed the most recent required
5 form?

6 A. Yes.

7 Q. So, what is your current
8 portion on the Airport Advisory Board?

9 A. I am currently a member and I'm
10 also the chairperson.

11 Q. And when did you become chair?

12 A. That was January of 2020.

13 Q. And you were appointed in '19,
14 so within a year you became chair?

15 A. Yes.

16 Q. And how did you become chair?

17 A. I was elected by the other
18 members of the board to be the chair. We
19 elect the chair once per year in January.

20 Q. And what happened to the prior
21 chair?

22 A. They're still there as a
23 member, they were not reelected as the
24 chair.

25 Q. And who was that?

1 N. HARTMAN

2 A. Peter Schlactus.

3 Q. And why was he not reelected?

4 A. You'd have to ask the other
5 members, I don't -- I don't --

6 Q. Well, let me ask you this. Did
7 he seek reelection?

8 A. I believe he did. He was -- if
9 I recall he was nominated. I'd have to go
10 check the records, but I believe he was
11 nominated.

12 Q. And were you nominated?

13 A. Yes, yes.

14 Q. And you won?

15 A. Yes.

16 Q. So, how many people are on the
17 board?

18 A. There are 11 spots, currently
19 ten are occupied, so there's one vacant
20 position.

21 Q. And how are the spots
22 allocated?

23 A. So, there are three spots that
24 are allocated to county officials, so one
25 is the Commissioner of Transportation, one

1 N. HARTMAN

2 is the Commissioner of Planning, and then
3 one goes to a member of the Board of
4 Legislatures. There are a number of slots,
5 I don't recall exactly how many, that are
6 allocated to specific municipalities that
7 are around the airport, and then there are
8 a few that are sort of at-large open
9 positions.

10 Q. And how often does the board
11 meet?

12 A. Once per month generally.

13 Q. Is it a regular day?

14 A. Usually the second Wednesday of
15 the month is our standard slot.

16 Q. Is it during the day or in the
17 evening?

18 A. At 7:00 in the evening.

19 Q. And where are the meetings
20 held?

21 A. Now they are held at the
22 airport conference room, during Covid they
23 were Zoom meetings or Webex meetings.

24 Q. So, how does an item get placed
25 on the agenda for a board meeting?

1 N. HARTMAN

2 A. Technically any member can
3 propose an agenda item, generally they
4 would send that -- while I'm the chairman
5 they would send that to me and I would
6 place it under New Business typically.

7 Q. Is it only members can place
8 items on the agenda or can members of the
9 general public put something on the agenda?

10 A. So, somebody on the board would
11 have to propose that as an item, but a lot
12 of times a member of the public might say
13 something, and then either myself or
14 another member of the board could put it on
15 the agenda. We also have a public comments
16 at multiple points in the meeting, so new
17 items of discussion can get introduced
18 because a member of the public mentions it
19 at a meeting, as well.

20 Q. So, as a county board, are you
21 subject to the Open Meetings Law?

22 A. Yes.

23 Q. So, you're meetings are public?

24 A. Yes.

25 Q. So, anybody can attend?

1 N. HARTMAN

2 A. Yes.

3 Q. And you notice the meetings
4 publicly?

5 A. Yes.

6 Q. So, again, in your capacity as
7 chair of the board, are you familiar with
8 any, you know, groups that advocate on
9 airport issues?

10 A. Yes.

11 Q. And could you name a couple of
12 those groups?

13 A. So, the Westchester Aviation
14 Association I mentioned previously, there's
15 another group, I believe it's called The
16 Coalition to Prevent Westchester Aviation
17 Airport Expansion I think is their name,
18 and then they have a number of other groups
19 that fall underneath that. Those are the
20 two major ones that I'm aware of.

21 Q. Well, are you familiar with an
22 organization called PEPA?

23 A. Yes, yes, Purchase
24 Environmental Protection Association, I
25 think, yes, and they are a member of this

1 N. HARTMAN

2 coalition I mentioned, as well.

3 Q. So, to your knowledge, what
4 other groups make up The Coalition for the
5 Prevention of Airport Expansion?

6 A. I think the Sierra Club is
7 there, and I know there's quite a few
8 others, but I don't remember a specific
9 group there.

10 Q. So, have you ever met with
11 representatives from PEPA?

12 A. Yes.

13 Q. And when was the last time you
14 had a meeting with PEPA?

15 A. Six months ago.

16 Q. And do you recall what the
17 subject matter was?

18 A. It was generally about airport
19 issues overall. I think there was several
20 PEPA members that were concerned about
21 traffic patterns, I believe it was related
22 to that.

23 Q. And, to your recollection, did
24 they ever discuss the issue of the Terminal
25 Use Regulations and single-seat charter

1 N. HARTMAN

2 operations?

3 A. I definitely recall that,
4 either from PEPA or other members of that
5 coalition, that the topic had come up, I
6 don't recall if that was what we discussed
7 at the last meeting.

8 Q. Well, as part of your job as
9 chair, do you routinely meet with advocacy
10 groups?

11 A. Yeah. I mean effectively I'll
12 meet with members of the public, other
13 advocacy groups. I pretty much would never
14 turn down a meeting if somebody wanted to
15 discuss about the airport.

16 Q. And then does the board meet
17 with these groups, as well?

18 A. From time to time we do have
19 them attend our meetings, I don't recall
20 that we've specifically had the coalition
21 attend the meeting; however, there are at
22 least two members of the board that are on
23 the coalition and they are effectively
24 representing that group.

25 Q. Which two members are those?

1 N. HARTMAN

2 A. Peter Schlactus is involved
3 there and I think Rob Fleisher is also a
4 member. I think actually a third maybe, as
5 well, Tracy Levy I believe is also
6 associated with that.

7 Q. Does the board operate using
8 Robert's Rules of Order?

9 A. Loosely, yeah.

10 Q. Can anyone speak at a board
11 meeting?

12 A. Yes.

13 Q. With obviously your permission
14 as chair?

15 A. Yes.

16 Q. Does the board ever meet with
17 representatives from airlines that operate
18 at the airport?

19 A. In the last -- since I've been
20 on the board I know -- I think there's been
21 representatives that have been there, I
22 don't think we've like formally set up a
23 meeting with them, to my knowledge, but at
24 some point in the past they probably would
25 have.

1 N. HARTMAN

2 Q. But your testimony is, that
3 during your term as chair, and membership,
4 I'm going to go back to when you were
5 actually a member, that goes back to '19,
6 you don't recall any meetings with airline
7 representatives --

8 A. No --

9 Q. -- with the board?

10 A. -- no, not that I --

11 Q. As a policy, would you meet
12 with them?

13 A. If they wanted to meet, yes.

14 Q. Are you familiar with JSXAir,
15 Blade Urban Air Mobility, and XO Global?

16 A. Yes.

17 Q. So, those are our clients.

18 A. Yes.

19 Q. So, if I reference plaintiffs,
20 that's what I'm talking about. Is that
21 okay with you?

22 A. Yes.

23 Q. And when did you first hear of
24 them?

25 A. Probably just seeing them

1 N. HARTMAN

2 around the airport, and also I've seen
3 their advertisements maybe three, four
4 years ago I would say.

5 Q. And in your capacity as a
6 member of the board, Airport Advisory
7 Board, you know, did you have any
8 interaction with these three airlines?

9 A. No.

10 Q. Could you describe to me how
11 they operate at -- I'm going to say HPN,
12 Westchester County Airport?

13 A. So, my understanding is
14 there's -- some of their operations are
15 under Part 135 as more traditional charter
16 flights, and then some of them are
17 operating as -- either all the time or part
18 of the time -- as a Part 380 public charter
19 operation. They may have other operations,
20 too, but those are the ones that I've most
21 commonly seen.

22 Q. And could you describe for me
23 what a Part 135 operator is?

24 A. Part 135 would be an operator
25 that's authorized to effectively do

1 N. HARTMAN

2 charters, and the FAA has very nuanced
3 descriptions of what they consider to be a
4 charter, but effectively individuals
5 looking to arrange for a flight, and then
6 arranging with an operator to have that
7 flight, and there's lots of rules about,
8 Can that be scheduled in advance? Or is
9 that an on-demand basis? But that's, at a
10 high level, you know, what a 135 would be.
11 Part 380 -- oh, sorry.

12 Q. Well, that's my next question.

13 A. Sorry.

14 Q. No, that's okay. You read my
15 mind. Could you describe what a Part 380
16 operator is?

17 A. So, Part 380 is what the FAA
18 calls a public charter, and essentially
19 it's a, as I understand it, it's sort of a
20 hybrid between the booking of travel and
21 the servicing of travel. So, there is one
22 legal entity that would offer travel to
23 individuals, under various arrangements
24 could book a seat, you could book a trip,
25 other things of that nature, and that those

1 N. HARTMAN

2 legal entities then have relationships
3 with, I believe, a direct air carrier,
4 which would be, I think most frequently, a
5 Part 135 operator to, in essence, take the
6 group of individuals that have expressed
7 their interest in traveling and then
8 chartering an operation to deliver on that
9 interest in travel.

10 Q. Does Westchester County Airport
11 have both Part 135 and Part 380 operators?

12 A. Yes.

13 Q. And as chair of the board, are
14 you familiar with those?

15 A. The 135, there are many
16 different operations, large and small, the
17 Part 380, the ones I'm familiar with, are
18 essentially your clients.

19 Q. To your knowledge, are there
20 any others other than my clients?

21 A. I've been told that there's --
22 operations have happened in the past, but
23 I'm not personally familiar with any of
24 them other than your clients.

25 Q. You've been told by whom?

1 N. HARTMAN

2 A. Well, the filings in your case
3 essentially.

4 Q. Other than the filings in this
5 matter, has anyone else told you that they
6 were?

7 A. No.

8 Q. So, is it safe to say you're
9 familiar with the business model of my
10 clients?

11 A. Yes.

12 Q. Now, have you ever reached out
13 to any of my clients to get information
14 about their operations?

15 A. No.

16 Q. And do you know how long
17 they've been operating at HPN?

18 A. From my own observations, four
19 years or so.

20 Q. And have you ever received a
21 complaint about any of their flights?

22 A. Yes.

23 Q. And what complaints were those?

24 A. There were complaints from
25 members of the Airport Advisory Board

1 N. HARTMAN

2 questioning whether they were in violation
3 of the Terminal Use Agreement.

4 Q. Let me rephrase the question.
5 Have you ever received a complaint about
6 any particular or individual flight of my
7 clients?

8 A. Oh, as in like a noise
9 complaint?

10 Q. Yes, or any other kind of
11 complaint you might get.

12 A. So, I don't recall -- so, let
13 me back -- so, we get reporting about noise
14 complaints and complaints overall, they're
15 usually very aggregated, I don't recall a
16 specific instance where one of your
17 clients' flights was specifically called
18 out and named; however, I would be very
19 surprised if they were not in the aggregate
20 data overall because --

21 Q. Why?

22 A. We tend to get complaints about
23 jet operations of all types. The airlines,
24 charter operators, corporate operators, and
25 so over several years it would be very

1 N. HARTMAN

2 surprising if your clients were not somehow
3 in there.

4 Q. But you're not aware of any
5 specific complaint about any of our
6 flights?

7 A. In terms of noise?

8 Q. Let's start with noise. In
9 terms of noise, yes.

10 A. Not that I can recall, no.

11 Q. So, are you aware of any other
12 complaints about my clients' operations?

13 A. The only complaints that I
14 recall were related to the Terminal Use
15 Agreement specifically.

16 Q. Okay. And who -- let me take a
17 step back, sorry. Who made those
18 complaints to you?

19 A. There was members of the board
20 were commenting on it, I believe, in the
21 conversations I had with members of the
22 public it had come up a few times, I don't
23 recall kind of specifically when or where,
24 but there had been a range of complaints
25 related to questioning if those operations

1 N. HARTMAN

2 were allowed to do what they were doing.

3 Q. Okay. And which board members?

4 A. Mr. Schlactus and Mr. Fleisher,
5 in particular, I think had made complaints
6 about that, or I should say were raising
7 questions about it.

8 Q. Other than Mr. Fleisher and Mr.
9 Schlactus, anyone else on the board?

10 A. Not that I recall, no.

11 Q. And do you recall the names of
12 any members of the public that raised this
13 question with you?

14 A. I believe that it had come up
15 in one of my conversations with PEPA, and
16 that would have been with the executive
17 director of PEPA, Gould or Gould, I can't
18 remember if it's Gould or Gould, but we had
19 had a number of conversations related to
20 just topics of the day related to the
21 airport, and I believe this had come up at
22 one point.

23 Q. Do you remember when that
24 conversation took place?

25 A. I would guess between six and

1 N. HARTMAN

2 18 months ago, but I don't know exactly.

3 Q. So, are you familiar with a
4 company called Avports?

5 A. Yes.

6 Q. And what is your knowledge of
7 Avports?

8 A. Avports is contracted by the
9 county to run the day-to-day operations of
10 the airport on behalf of the county.

11 Q. And, so, what is the
12 relationship between the Airport Advisory
13 Board and Avports?

14 A. I don't think there's any
15 official relationship; however, we work
16 very closely together because they are
17 operating the airport, the airport manager
18 and a number of people of the airport staff
19 attend their meetings and provide reports.

20 So, the airport manager
21 provides a report at every meeting, the
22 representative from the environmental
23 office provides a report about traffic and
24 noise complaints, and then any other topics
25 that we are discussing typically members of

1 N. HARTMAN

2 the Avports staff would chime in with
3 information about that topic.

4 Q. Do you routinely reach out to
5 them on airport issues?

6 A. Yes.

7 Q. Have you ever reached out to
8 them about a complaint about my clients'
9 operations?

10 A. Yes.

11 Q. Okay. And when was the most
12 recent communication?

13 A. I think it was somewhere around
14 2019 or early 2020.

15 Q. And what was the nature of your
16 communication with Avports?

17 A. There was questions about --
18 sort of as I was mentioning earlier -- the
19 questions about if the operations of your
20 clients were in violation of the TUR.

21 Q. And did Avports respond to you?

22 A. Yes.

23 Q. And did they respond in writing
24 or verbally?

25 A. Verbally.

1 N. HARTMAN

2 Q. And who did you speak to at
3 Avports?

4 A. I believe it was the airport
5 manager at the time, Peter Scherrer.

6 Q. And did you have any other
7 communication with Avports about this issue
8 other than that one you just described?

9 A. I don't think so, no.

10 Q. What is the relationship
11 between the board and the county
12 government?

13 A. So, the board is defined in the
14 county's code as an entity, and I believe
15 the way that that's written is we advise
16 the county on matters related to the
17 airport, and so sometimes the county will
18 come to us and specifically ask for input
19 on a matter; however, other times we will,
20 on our own volition, provide feedback to
21 the county, as well.

22 Q. Is there a county employee
23 that's designated as like a liaison to the
24 Airport Advisory Board?

25 A. Yes.

1 N. HARTMAN

2 Q. Who's that?

3 A. Presently that's Aviva Meyer,
4 who I believe is the assistant to the
5 County Executive for Health &
6 Infrastructure I think is her title.

7 Q. And do you work directly with
8 her?

9 A. Yes.

10 Q. Let's start with our stuff.
11 So, let's start with Exhibit O. I'm going
12 to mark this as Hartman 1, please.

13 (Whereupon, Avports document
14 was marked Hartman Exhibit 1 for
15 identification as of this date by the
16 Reporter.)

17 Q. So, I'm going to show you a
18 document that we're marking as Hartman 1.
19 Do you see that?

20 A. Yes.

21 Q. It's a letter from -- it says
22 Avports at the top?

23 A. Um-hum.

24 Q. It's dated January 21, 2022?

25 A. Yes.

1 N. HARTMAN

2 Q. Okay. So, my first question
3 is, have you ever seen this document
4 before?

5 A. Yes.

6 Q. And when did you first see this
7 document?

8 A. Sometime in early 2022, I
9 believe, or mid -- maybe mid 2022, but it
10 was after the date that's listed there.

11 Q. I'm sorry, it was after January
12 21st, 2022, you saw it first?

13 A. Yes, yes.

14 Q. So, your testimony is you never
15 saw this before January 21, 2022?

16 A. Correct.

17 Q. So, was the Airport Advisory
18 Board consulted about this policy --

19 A. No.

20 Q. -- prior to 1/21/22 --

21 A. No.

22 Q. -- which is the date of the
23 document?

24 A. No, no.

25 Q. Okay. Thank you. So, this

1 N. HARTMAN

2 document is described as Policy Number 1,
3 it's an operational policy, you know, on
4 public charters. Is that your
5 understanding of it?

6 A. Yes.

7 Q. And, to your knowledge, is this
8 a new policy?

9 A. Yes.

10 Q. And is it normal that the
11 Avports would promulgate a new policy
12 without consulting the Airport Advisory
13 Board?

14 MS. MARINO: Objection to form.
15 You can answer.

16 A. I don't know that there's been
17 a lot of new policies, but relative to
18 other policies we were consulted or made
19 aware of prior to the fact. So I guess,
20 yes, the answer to your question would be
21 yes.

22 Q. But it's your testimony you
23 were not consulted before this document was
24 sent out?

25 A. Yes.

1 N. HARTMAN

2 Q. Thank you. Prior to January
3 21st, 2022, had the Airport Advisory Board
4 discussed the issue of my clients'
5 operations?

6 A. Yes.

7 Q. And do you remember when those
8 discussions took place?

9 A. I think there had been a number
10 of points when the topic was raised, but
11 the earliest that I recall was in 2019.

12 Q. When did you first get a copy
13 of this document?

14 A. It was sometime later in 2022,
15 I don't remember exactly when, though.

16 Q. And when you received the
17 document, did you share it with anybody?

18 A. I don't recall, but I possibly
19 did.

20 Q. And when you received the
21 document, did you react to it?

22 MS. MARINO: Object to form.

23 You can answer.

24 A. What do you mean by react to
25 it?

1 N. HARTMAN

2 Q. Did you have an opinion on it?

3 A. I'm sure I did probably.

4 Q. And would you share that
5 opinion with us, please?

6 MS. MARINO: Object to form.

7 You can answer.

8 A. That it appears to be
9 clarifying how the TUR would apply to these
10 operators given some potential ambiguity
11 with the original TUR language as it
12 applies to a Part 380 operation.

13 Q. So, is it fair to say you
14 support this policy?

15 MS. MARINO: Object to form.

16 You can answer.

17 A. Well, I think there's probably
18 a lengthy answer to that question.

19 Q. Okay.

20 A. I think the way the TUR is
21 currently written in the county code it
22 would appear that the definition would
23 encompass that of your clients and some
24 language related to seats sold and whether
25 that be by the operator or charterer, so

1 N. HARTMAN

2 it's a very broad definition. I think the
3 question that I had had, and it's related
4 to the answer to your question is, Was that
5 always the definition? Because as I had
6 understood the definition of the TUR, it
7 was for scheduled airline operations. When
8 the TUR originated in 1985 there was a
9 settlement, and broadly around the airport
10 was spoken that the TUR was for scheduled
11 operations, and I believe the specific
12 language in the TUR is -- the original
13 language of the TUR says scheduled
14 operations or scheduled airline operations.

15 The FAA does not consider a
16 Part 380 operations to be a scheduled
17 operation, so I guess whether or not I
18 support it depends on whether or not, at
19 the time ANCA came into effect, the
20 definition of the TUR is as it is currently
21 written today. If that was the case then I
22 would support it, but I don't know if --
23 and I think that's the legal question
24 you're all trying to answer is, Is that
25 current definition a definition in 1990, or

1 N. HARTMAN

2 had that definition somehow been made more
3 restrictive since 1990?

4 Q. Thank you. As a matter of
5 policy, as chair of the Airport Advisory
6 Board, do you agree with this policy?

7 MS. MARINO: Object to form.

8 You can answer.

9 A. If the current TUR is the
10 language that was used at the time when the
11 FAA sort of grandfathered everything in,
12 then I would definitely support the
13 county's attempts to enforce its laws.

14 Q. Do you know if this document
15 was placed on an agenda of the Airport
16 Advisory Board?

17 A. It was not, to my knowledge.

18 Q. So, we're going to go to M and
19 N. So, that's Hartman 2.

20 (Whereupon, Local Law Number 12
21 was marked Hartman Exhibit 2 for
22 identification as of this date by the
23 Reporter.)

24 Q. I'm going to show you a
25 document that's marked Hartman 2. The top

1 N. HARTMAN

2 says Local Law Number 12, 2004. I'm going
3 to ask you to look at it briefly. Okay?

4 A. Yes.

5 Q. Have you seen this before?

6 A. Yes.

7 Q. Okay. And I'm just going to
8 refer you to Section 7124621,
9 Applicability. Do you see that?

10 A. Yes.

11 Q. So, could you read that
12 paragraph for me, please?

13 A. Applicability: This section
14 shall apply to all use of the passenger
15 terminal at the terminal ramp at the
16 Westchester County Airport by airlines
17 providing scheduled passenger service. The
18 terminal ramp shall be for the exclusive
19 use of airlines providing scheduled
20 passenger service. This section does not
21 apply to any activities by airport users
22 not providing passenger service or not
23 using the terminal building or the terminal
24 ramp.

25 Q. Thank you. So, reading that

1 N. HARTMAN

2 paragraph, would you agree that the
3 Terminal Use Procedures do not apply to
4 airport users not using the terminal
5 building or terminal ramp?

6 MS. MARINO: Object to form.

7 You can answer.

8 A. Let me read this one second
9 again, sorry.

10 Q. Just Paragraph 1,
11 Applicability, that's it.

12 A. Yeah. Yes, as I read that it
13 says, If you're using the terminal, then it
14 applies, but it doesn't appear to say that
15 if you're not using the terminal you must
16 use the terminal, if that's the nature of
17 your question.

18 Q. Well, I guess if you just look
19 at the last sentence in that paragraph --

20 A. Yeah.

21 Q. -- would you agree that this
22 does not apply to airport users not using
23 the terminal building or terminal ramp?

24 A. Yes, that's what it says.

25 Q. Okay. Thank you. So, I'm

1 N. HARTMAN

2 going to give you Exhibit N, and we're
3 going to mark that Hartman 3.

4 (Whereupon, Rules and
5 Regulations were marked Hartman
6 Exhibit 3 for identification as of
7 this date by the Reporter.)

8 Q. I'm just going to ask you to
9 skim through that, and I'm going to ask you
10 a question about it. Have you ever seen
11 this document before?

12 A. This is a section of the county
13 code, correct.

14 Q. Well, I can't answer that
15 question for you. It says on the front,
16 Rules and Regulations for Westchester
17 County Airport. You tell me, my question
18 to you is, have you ever seen this before?

19 A. So, I've seen the county code
20 chapter, which is referred to as the rules
21 of the airport, so provided that is this,
22 then yes, I have seen it.

23 Q. So, I'm going to ask you to
24 look at Section 712.462, which is on
25 Page -- well, there's a Bates stamp at the

1 N. HARTMAN

2 bottom, that would be 6538, if it's helpful
3 here at the bottom, yeah, those little
4 Bates stamp. So, if you jump to 6538, COW
5 stands for County of Westchester, which
6 means they produced this document for us.
7 So, I'm going to ask you to look down at
8 712.462, Paragraph 1, and then read that
9 for me, please.

10 A. Sure. This section shall apply
11 to all use of the passenger terminal and
12 the terminal ramp at Westchester County
13 Airport by airlines providing passenger
14 service as that term is defined herein.
15 The terminal ramp shall be for the
16 exclusive use of airlines providing
17 passenger service. This does not apply to
18 any activities by airport users not
19 providing passenger service. All passenger
20 service provided at the airport shall be
21 provided at the terminal.

22 Q. Thank you. So, would you say
23 that this definition is different than the
24 one in Hartman 1?

25 MS. MARINO: Object to form.

1 N. HARTMAN

2 You can answer.

3 A. Yes.

4 Q. Do you know when the
5 definitions were changed?

6 A. No.

7 Q. And, so, do you know if the
8 Airport Advisory Board was involved in the
9 drafting of the change?

10 A. I do not. And based on what it
11 says on the cover that would have been
12 prior to my -- long before my time. It
13 says it was --

14 Q. No, I understand you, I'm
15 asking, you know, if the board, that you're
16 the --

17 A. No, not to my knowledge.

18 Q. That's my question. Thank you.
19 So, let's jump to R. Hartman 4.

20 (Whereupon, Agenda, 10/24/18,
21 was marked Hartman Exhibit 4 for
22 identification as of this date by the
23 Reporter.)

24 Q. I'm going to ask you to look at
25 this document and see if you recognize it.

1 N. HARTMAN

2 A. Yes, this appears to be a pack
3 from one of our board meetings.

4 Q. So, attached to this document
5 are the minutes, so I'm going to have you
6 jump to the -- no, this is not Bates
7 stamped, is it? So, I'm going to have you
8 go to -- there's a resolution about ten
9 pages from the rear. If you want I'll find
10 it for you to make it easier. We're up to
11 Hartman 4. So, this is our Exhibit R,
12 attached are the October 2018 AAB meeting
13 notes. So, if you look on Page 29, you see
14 at the top where there's a resolution?

15 A. Yes, yeah. Starting Whereas?

16 Q. Yes, correct. And it says,
17 Whereas the Westchester County Airport
18 terminal use procedures applies...?

19 A. Um-hum.

20 Q. So, have you ever seen this
21 resolution?

22 A. Yeah. I was not on the Airport
23 Advisory Board at this time, but I do
24 believe I had seen this somewhere before.

25 Q. Okay. And, so, what is your

1 N. HARTMAN

2 understanding of this resolution?

3 A. It's attempting to have the TUR
4 enforced against some named operators on
5 here, specifically says JetSmarter, Blade,
6 ClipperJet, and other booking services
7 where sole seats are sold individually for
8 nine or more passengers.

9 Q. So, after a resolution gets
10 passed, where does it go?

11 A. We would provide it back to the
12 county. Typically in practice I would --
13 well, Aviva was not in that role at that
14 time, but it would go to Aviva and she
15 would pass it back to the county. She was
16 not in that role at this time.

17 Q. Are you familiar with any
18 discussion that took place prior to the
19 adoption of this resolution?

20 A. Not directly, no.

21 Q. And do you know if, in fact,
22 this resolution was adopted?

23 A. I don't know. I was -- this
24 was before I was a member of the board, so
25 I don't know.

1 N. HARTMAN

2 Q. And, so, do you know how this
3 got to the board, on the board agenda?

4 A. Well, per what I was saying
5 earlier, somebody on the board would have
6 likely proposed it or put it on the agenda.

7 Q. Thank you. So, I'm going to
8 jump up to A. Are you good? Do you want
9 to take a break?

10 A. I'm good.

11 Q. So, we're up to Hartman 5.

12 (Whereupon, Agenda, 11/14/18,
13 was marked Hartman Exhibit 5 for
14 identification as of this date by the
15 Reporter.)

16 Q. So, Mr. Hartman, I'm going to
17 show you a document we've marked as Hartman
18 5. Can you look at this and see if you
19 recognize this document?

20 A. It appears to be the board pack
21 from a November 2018 meeting.

22 Q. I'm going to direct your
23 attention to New Business, Item C. What is
24 that?

25 A. It says, Discussion of Terminal

1 N. HARTMAN

2 Use Regulations applicability to charter.

3 Q. Okay. So, were you at the
4 meeting, this meeting?

5 A. I believe I was. Can I check
6 the meeting? Because I was attending -- or
7 maybe -- maybe I was not. I was at a
8 meeting -- well, okay. I was there at a
9 meeting when there was a presentation
10 regarding rehabilitation of the runway, I
11 was definitely at that meeting, I don't see
12 my name listed as being in attendance,
13 but -- so, I don't specifically recall, but
14 I was at a meeting around that time, yeah.

15 Q. Well, the meeting attached --

16 A. Oh, that's the previous.

17 Q. -- is October 24th, which you
18 were not attending.

19 A. I see.

20 Q. I just want to know if you were
21 in attendance on November 14th, 2018?

22 A. Actually, yes, I believe I was,
23 because I was looking at the meeting
24 minutes from the October 24th meeting.

25 Q. I understand.

1 N. HARTMAN

2 A. So, I believe I was, yes.

3 Q. And do you recall the
4 discussion, under New Business, Discussion
5 of Terminal Use Regulations applicability
6 to charter?

7 A. Not directly, no. I mean most
8 of what I remember about that meeting was
9 related to the runway repaving component.

10 Q. Do you recall if there was any
11 discussion on new business, I'm going to
12 say 10C discussion, do you recall if there
13 was a discussion?

14 A. I don't specifically recall. I
15 know there was a general discussion about
16 the topic at some point around that time,
17 but I don't remember this meeting
18 specifically if there was a discussion.

19 Q. So, we're going to jump to S.
20 This is 6, Hartman 6.

21 (Whereupon, Agenda, 1/23/19,
22 was marked Hartman Exhibit 6 for
23 identification as of this date by the
24 Reporter.)

25 Q. So, I'm going to show you a

1 N. HARTMAN

2 document marked Hartman 6, which is the
3 agenda for January 23rd, 2019. Do you see
4 this, what you have in front of you?

5 A. Yes.

6 Q. Attached to this agenda are the
7 minutes from the November meeting?

8 A. Yes.

9 Q. So, I'm going to direct your
10 attention to the minutes of the November
11 meeting. And I'm going to ask you to take
12 a few minutes to read those minutes, or at
13 least look through them, if you would.

14 A. Sure.

15 Q. And my specific question is, do
16 you see any record of any conversation
17 about the TUR applicability to what was in
18 the prior, which was on the agenda?

19 A. No, it does not appear that
20 there's any discussion about that
21 resolution.

22 Q. Thank you. So, is that a
23 common occurrence, that something would be
24 on the agenda for discussion and there's no
25 record of any discussion?

1 N. HARTMAN

2 A. Well, it can happen that we
3 don't get to the item, and I do remember
4 that meeting was particularly lengthy
5 because of the discussion about the
6 repaving project for the runway, which had
7 a number of people, a number of extended
8 conversations and public comments, which do
9 seem to be reflected by those minutes. So,
10 the fact that perhaps it -- just didn't get
11 to it on the agenda and ran out of time
12 would not be unusual per se.

13 Q. All right. So, we're done with
14 that exhibit. Did you have any knowledge
15 of our clients' operations prior to the
16 commencement of the litigation, that you
17 know of?

18 A. Yes, yeah.

19 Q. And what was the extent of that
20 knowledge?

21 A. Well, I was aware they existed,
22 because I physically saw them around the
23 airport, I received advertisements from
24 them, including now I still keep getting
25 JSX advertisements on Facebook almost

1 N. HARTMAN

2 daily.

3 Q. Good.

4 A. And also questions that people
5 have been asking about the Terminal Use
6 Agreement and whether it applied to these
7 operators.

8 Q. And other than the people you
9 mentioned in your prior testimony, are
10 there any other people that have asked you
11 about this?

12 A. It was a topic that had come up
13 generally, and so there probably were, but
14 I don't specifically recall who it was or
15 when.

16 Q. Do the operations of the
17 plaintiffs have any impact on your personal
18 use of the airport?

19 MS. MARINO: Object to form.
20 You can answer.

21 A. Yes.

22 Q. And what would that be?

23 A. So, JSX currently is based out
24 of Atlantic West, they park several of
25 their aircraft there, and they use the FBO

1 N. HARTMAN

2 lobby effectively as their terminal. And
3 when they have flights coming in and out
4 that can be disruptive to the tenants of
5 the FBO, because they're effectively using
6 the FBO as a terminal and it gets very
7 crowded, it's not really designed to do
8 that. They set up magnetometers sort of in
9 the corner of the space, and, you know,
10 it's -- it creates some challenges because
11 it becomes very crowded.

12 Q. So, are you inconvenienced by
13 their operation?

14 A. Yes.

15 Q. And does that affect your
16 judgement, as chairman of the advisory
17 board, as it pertains to my client?

18 MS. MARINO: Object to form.

19 You can answer.

20 A. I always seek to be as
21 impartial in terms of my role as chair, but
22 unavoidably I have my own opinions on
23 matters.

24 Q. So, would it be easier for you
25 if they did not operate out of an FBO?

1 N. HARTMAN

2 MS. MARINO: Object to form.

3 You can answer.

4 A. Well, I would say, if I can
5 clarify, there's two different types of
6 FBO's at the airport, there are light GA
7 designated FBO's, of which Atlantic West is
8 one, that's where I am based; and then
9 there are other FBO's that do not have that
10 designation. So, I find it is disruptive
11 for those operations to be at a light GA
12 FBO in part for some of the reasons that I
13 described, and in part because they take up
14 space that could be used for light GA
15 activities, which is what the primary
16 purpose of those facilities is supposed to
17 be. However, if they were at one of the
18 other FBO's that do not have those
19 designations and generally do not have
20 light GA traffic then I don't think it
21 would be disruptive to the light GA
22 community.

23 Q. How often do you take your
24 plane out to fly?

25 A. Three or four times a month.

1 N. HARTMAN

2 Q. Where do you go?

3 A. Usually either to Pennsylvania
4 to visit family, or local airports that
5 have restaurants and pilots get together
6 there on the weekends.

7 Q. Okay. Thank you. So, you are
8 familiar with the term FBO, obviously --

9 A. Yes, yes.

10 Q. -- since you've mentioned it
11 many times. But, for the record, could you
12 describe what an FBO is?

13 A. So, it stands for fixed-based
14 operator, and the FBO serve a number of
15 purposes. I once heard them classified as
16 a very fancy gas station, which is perhaps
17 one way. They offer fueling services to
18 aircraft, that's one of their primary
19 businesses, they offer places to
20 permanently base aircraft that essentially
21 live at Westchester normally, like my
22 aircraft, on tiedown spots outside on the
23 ramp, or in spots inside in hangars, they
24 offer parking for transient aircraft, so
25 those that are coming in on a temporary

1 N. HARTMAN

2 basis, so places for them to park. They
3 offer a range of services associated with
4 aircraft, like ground power units and
5 servicing of the aircraft. They typically
6 have a lounge for passengers to use when
7 they're arriving and departing, and a
8 number of other kind of ancillary services
9 that they would provide to customers.

10 Q. And an FBO also would, for
11 people that aren't into aviation, would be
12 like a hangar, is it a fair description?
13 Is it a large hangar?

14 A. Well, an FBO doesn't have to
15 have a hangar, but most FBO's do have some
16 form of hangars, either T hangars or larger
17 hangars that can fit multiple airplanes.

18 Q. And these FBO's that are at
19 Westchester County Airport, do they lease
20 the property from the airport? How is it
21 they can operate legally at the airport?

22 A. Yeah. My understanding is the
23 county owns all the land, they lease the
24 land to the operators, the operators have
25 typically long leases of 30-plus years, and

1 N. HARTMAN

2 then if -- at the end of that lease, if
3 it's not renewed, the property and the
4 facilities would return to the county. So,
5 the county technically owns it all, but
6 it's leased to these operators.

7 Q. Does the Airport Advisory Board
8 review the leases with the FBO's?

9 A. Not typically before they're
10 signed, no, but after -- we have seen them
11 after they've been signed.

12 Q. Is the Airport Advisory Board
13 consulted by the county prior to either
14 entering into a lease or renewing a lease?

15 A. Since I've been on their board,
16 advisory board, the topic of the content of
17 the leases has come up, but we've never, to
18 my knowledge, directly been consulted and
19 asked about it prior to a change being
20 made.

21 Q. Okay. I'm going to show you
22 another exhibit. This one is a little bit
23 smaller, our Exhibit A. Hartman 7.

24 (Whereupon, email, 11/6/18, was
25 marked Hartman Exhibit 7 for

1 N. HARTMAN

2 identification as of this date by the
3 Reporter.)

4 Q. So, Hartman 7. I'm going to
5 share what you have in front of. It is an
6 email from a Jonathan Wang, Wang --

7 A. Yeah.

8 Q. -- dated November 6th, 2018.
9 So, I want you to just take a look at it
10 briefly. And then, you ready? Can I ask
11 you a question on it?

12 A. Just give me a moment. I want
13 to finish reading.

14 Q. Go ahead. Take your time.

15 A. Okay.

16 Q. Okay. So, first question, have
17 you ever seen this document, this email,
18 I'm sorry?

19 A. No.

20 Q. Are you familiar with someone
21 named Jonathan Wang?

22 A. Yes.

23 Q. And how do you know him?

24 A. He was previously a member of
25 the Airport Advisory Board, and also I

1 N. HARTMAN

2 guess you could describe a local activist
3 on items related to the airport.

4 Q. Is he a pilot, do you know?

5 A. Yes.

6 Q. Have you ever flown with him?

7 A. No.

8 Q. Have you ever had a
9 conversation with him?

10 A. Yes.

11 Q. I would direct your attention
12 to Number 2 on this email, that Mr. Wang
13 apparently requested an item be placed on
14 the agenda on Terminal Use Regulations
15 applicable to charter operators selling
16 single seats. Have you read that?

17 A. Yes.

18 Q. So, was Mr. Wang a member of
19 the Airport Advisory Board?

20 A. At that time, yes.

21 Q. Okay. And, to your knowledge,
22 did the board have that conversation?

23 A. This was just prior to me being
24 on the board, so I don't know if they had
25 the conversation at the meeting that he's

1 N. HARTMAN

2 referring to, but the topic of the Terminal
3 Use Regulations did come up later. He's
4 asking about that item for the agenda on
5 the 14th, so I don't know if they had that
6 conversation on the 14th.

7 Q. To your knowledge, was this the
8 first time JetSmarter and SSCO's were
9 mentioned to the board?

10 A. To my knowledge, yes, but I was
11 not attending every board meeting at that
12 time.

13 Q. Understood, understood. Only
14 to your knowledge.

15 A. Yeah.

16 Q. So, let's jump up to K.
17 Hartman 8.

18 (Whereupon, Agenda, 3/20/19,
19 was marked Hartman Exhibit 8 for
20 identification as of this date by the
21 Reporter.)

22 Q. Okay. I'm going to show you a
23 document marked Hartman 8, and I'm going to
24 ask you if you've seen this document.

25 A. Yes. This appears to be one of

1 N. HARTMAN

2 our board meeting packs.

3 Q. And according to this document
4 it includes Airport Advisory Board minutes
5 from February 27th, 2019?

6 A. Yes.

7 Q. So, I'm going to direct your
8 attention to the minutes, specifically Page
9 8 on the minutes. So, on the top of Page 8
10 there is a comment from Hugh Greechan. Do
11 you see that?

12 A. Regarding the highway sign?

13 Q. Nope. On Page 8 it says, It is
14 a state matter, we'll check into it.

15 A. Yeah.

16 Q. So, in that first bullet, do
17 you see that?

18 A. That list of companies?

19 Q. No, it says Jetsmarter --

20 A. So, you're talking about right
21 below it, I'm looking above it.

22 Q. Yeah. Do you see that?

23 A. Yes, yes.

24 Q. So, could you just explain to
25 me what this discussion was about?

1 N. HARTMAN

2 A. Yeah. So, as I recall there
3 was a flight -- as it says there's a flight
4 from Las Vegas to White Plains where a
5 passenger became disruptive and the flight
6 had to divert in order to address that
7 situation, and so there was discussion
8 amongst the board about if these types of
9 operations had a problem with security.

10 And as I recall there was a
11 brief discussion just related to how
12 security works in general on these flights,
13 and also, if I recall, some commentary to
14 the effect that the scheduled airliners are
15 not immune from security incidents, either,
16 and that there have been security incidents
17 where county police have to remove people
18 from aircraft and such, so that this was
19 not unique to these operators.

20 Q. Was that the first time you had
21 heard of JetSmarter?

22 A. I don't recall. I mean in this
23 context probably, but they -- there's lots
24 of these operators around the airport, so I
25 may have heard of it previously.

1 N. HARTMAN

2 Q. Have you, as a member of the
3 board, ever been made aware of any security
4 issues as it pertains to the single-seat
5 charter operations?

6 A. There's been a number of
7 conversations on the board, over the last
8 few years, about security operations of
9 those operators. In general it's been --
10 it's been me, actually, interrupting when
11 somebody makes comments to the effect of
12 there is no security, and when I would ask
13 for clarification they would say, Well,
14 they don't go through the TSA, and I would
15 clarify, that the lack of a traditional TSA
16 checkpoint is not no security, that it is
17 simply a different model. So, just to --
18 and to clarify, that it's not a total free-
19 for-all, that there is actually security in
20 place.

21 MR. NOTO: Thank you. I'm
22 going to take a five-minute break if
23 that's okay with everyone and then
24 resume?

25 MS. MARINO: That's fine.

1 N. HARTMAN

2 MR. CAREY: Yeah, it's 11:07.

3 Can we just come back at 11:15?

4 MR. NOTO: Yes, sure.

5 (Whereupon, a short recess was
6 taken.)

7 Q. And, so, we're on the record so
8 you're still under oath. I'm going to show
9 you a document that's Hartman 9.

10 (Whereupon, email, 3/1/19, was
11 marked Hartman Exhibit 9 for
12 identification as of this date by the
13 Reporter.)

14 Q. So, I'd like you to take a look
15 at this document. It has a Bates stamp, so
16 we got this 5947 at the bottom.

17 A. Um-hum.

18 Q. Okay. So, first question is,
19 this document contains, it's from Susan
20 Spear. Do you know who Susan Spear is?

21 A. Yes.

22 Q. Who is Susan Spear?

23 A. She was effectively at the time
24 doing the role that Aviva Meyer is doing
25 now as it relates to the Airport Advisory

1 N. HARTMAN

2 Board.

3 Q. And who's David Gutierrez?

4 A. I'm not familiar with who that
5 is.

6 Q. So, as you see down below she
7 is apparently forwarding an email from
8 Peter Schlactus. Have you seen this email
9 from Peter Schlactus?

10 A. I don't believe so, no.

11 Q. Well, do you know if this was
12 ever placed on an Airport Advisory Board
13 agenda?

14 A. I know that Peter was very
15 vocal about this topic, and including
16 things that are mentioned here, but I don't
17 specifically recall this email ever being
18 something that was put on a board agenda.

19 Q. Okay. Do you see, in his first
20 paragraph, Peter says he appreciates the
21 work of the county law department? Do you
22 see that?

23 A. Yes.

24 Q. And he makes reference to a
25 conclusion?

1 N. HARTMAN

2 A. Yes.

3 Q. Are you familiar with that?

4 A. I'm familiar that he had
5 reached out to the county about this topic
6 and that he was given some information,
7 yes.

8 Q. And are you familiar with what
9 information he was given?

10 MS. MARINO: Objection. I'm
11 just going to caution the witness
12 here, as it relates to any attorney-
13 client privileged communication, I
14 would advise the witness not to
15 answer. If there's other information
16 that you are aware of you can
17 respond.

18 MR. NOTO: Yeah. I mean, if
19 it's from Peter then it's not
20 privileged.

21 MS. MARINO: I understand.

22 A. So, my understanding was that
23 he had raised concerns about these issues,
24 and either I or somebody referred him to
25 speak to the airport manager about them. I

1 N. HARTMAN

2 believe he did, and I believe he was told
3 by the airport manager at the time
4 information that sounds similar to what is
5 being described here.

6 Q. That really wasn't my question.

7 A. Okay. Well, what was your
8 question?

9 Q. Well, so, Peter makes reference
10 to a response to his concerns.

11 A. Right.

12 Q. And so my question to you is,
13 are you familiar with the response that
14 Peter was talking about?

15 A. In reference to this email?

16 Q. Yes.

17 A. No, I don't believe so, no.

18 Q. So, did you have any
19 conversations with Peter Schlactus about
20 his concerns about the county's response to
21 his concerns?

22 A. Yes.

23 Q. And what were Peter's concerns
24 as he explained them to you?

25 A. Peter's -- concerns about the

1 N. HARTMAN

2 issue or concerns about the response?

3 Q. Both.

4 A. So, Peter's concerns about the
5 issue were that he felt that the current
6 language in the TUR applied to these
7 operations because of the language
8 regarding selling of individual seats and
9 there being nine or more seats available.

10 MR. CAREY: I just want to make
11 sure I have the right of this. So,
12 the question with respect to the
13 response includes the legal response
14 that Peter Schlactus received?

15 MR. NOTO: No, I'm saying the
16 conversations between him and Peter.

17 MR. CAREY: But if Peter had
18 received a legal response from the
19 county, in his role as a member of
20 the AAB, and it was discussed
21 internally among AAB members, then
22 it would be privileged material.

23 MR. NOTO: Well, not if it
24 comes from Peter, it's only
25 privileged if it comes from you. I

1 N. HARTMAN

2 didn't ask him to tell me what's in
3 the document, I asked him to tell me
4 what Peter said.

5 MR. CAREY: But the discussions
6 were happening when they were both
7 members of the AAB?

8 MR. NOTO: I don't know, that's
9 what I'm trying to find out.

10 MR. CAREY: I mean to the
11 degree that it was, it would be
12 covered by -- it's the county giving
13 legal advice to members of the AAB,
14 and if it's discussed internally
15 downstream it would retain its
16 privilege.

17 MR. NOTO: Well, again, I
18 haven't gotten to the question
19 whether this was placed on a -- I
20 guess we're off the record.

21 (Whereupon, an off-the-record
22 discussion was held.)

23 MR. NOTO: So, let's go back on
24 the record, and if you could reread
25 the question.

1 N. HARTMAN

2 (Whereupon, the referred to
3 question was read back by the
4 Reporter.)

5 MR. NOTO: That's not
6 privileged. It's Peter's concerns.

7 MR. CAREY: To the degree we're
8 getting -- because I thought the
9 earlier question involved a response.

10 MR. NOTO: So, he can answer
11 that.

12 MR. CAREY: That one, yes.

13 A. So, his concerns were that the
14 county was not enforcing the TUR relative
15 to the language that it contained at that
16 time in terms of its definition of where it
17 applied, specifically the selling of --
18 defining it as operations where more than
19 nine seats were told individually to
20 customers.

21 Q. And did Peter tell you why he
22 thought they weren't enforcing those rules?

23 A. I think he speculated that they
24 were not either aware of it or were
25 deciding not to, I think he had also had

1 N. HARTMAN

2 conversations with the airport management
3 who told him that they didn't apply.

4 Q. And who in airport management
5 told him that?

6 A. I believe it was the airport
7 manager at the time.

8 Q. And at the time, meaning are we
9 talking about March of 2019?

10 A. Yeah, so that was -- I'm
11 sorry -- Peter Scherrer.

12 Q. You've previously testified
13 that the airport --

14 A. Yes, yes, Peter Scherrer, yes,
15 sorry.

16 Q. So, back to this.

17 A. Because he was -- he was --

18 Q. Sorry.

19 A. Yeah, so, like I said, I was
20 not aware that he had had this
21 correspondence with the county. I had
22 conversations with Peter where I told him
23 to ask the airport manager what the
24 situation was, because at the time that
25 seemed like the most direct person, so

1 N. HARTMAN

2 yeah.

3 Q. Thank you. So, were you ever
4 made aware that Peter reached out to the
5 county law department for an opinion?

6 A. I believe he had mentioned that
7 he had had some conversations, other
8 conversations with the county, I don't
9 think I was specifically aware that he had
10 had this detailed conversation with the law
11 department.

12 Q. Okay. Do you know if Peter
13 received any documents from the county law
14 department?

15 A. That, I don't know.

16 Q. But reading this email --

17 A. Right.

18 Q. -- would it -- would it leave
19 you with the understanding that he did?

20 MS. MARINO: Object to form.

21 You can answer.

22 A. Well, documents as in this --
23 the email being a document, or are you
24 talking about --

25 Q. No, in his email, when he says,

1 N. HARTMAN

2 Its conclusion that the terminal use
3 procedures do not apply, et cetera, et
4 cetera, et cetera.

5 A. Oh, well, yes, it would appear
6 to imply that there was some correspondence
7 that's not included with this email, yeah.

8 Q. Thank you. And have you ever
9 seen that correspondence?

10 A. I do not believe so, no.

11 Q. Thank you. Now, to your
12 knowledge, was this email ever placed on an
13 agenda of the board?

14 A. Not that I recall, no.

15 Q. Are you aware of any
16 conversations that the board might have had
17 about this email?

18 A. Specifically this email, no.

19 Q. Okay. But are you aware of
20 conversations the board had about the
21 Terminal Use Procedures and our clients'
22 operations?

23 MS. MARINO: Object to form.

24 You can answer.

25 A. Yes. Around about this time

1 N. HARTMAN

2 the topic periodically would come up in our
3 meetings and informally amongst board
4 members.

5 Q. Okay. Is it your sense that
6 there was a push on the board to restrict
7 the operations of our clients at the
8 airport?

9 MS. MARINO: Object to form.

10 You can answer.

11 A. I think, at least as I saw it,
12 I would classify it as trying to understand
13 what was going on. It was not clear
14 exactly the nature of the operations, in
15 terms from the regulatory aspect. Where, I
16 mean, I can see they were advertising, but
17 under what -- like were they Part 135?
18 Were they Part 380? Et cetera? It was not
19 immediately clear. And then we were also
20 trying to understand the wording of the TUR
21 and whether that would apply. So, I think
22 that was the topic that was coming up. I
23 would classify it as trying to understand
24 what the -- how this all fit together,
25 because as it -- you know, the first time I

1 N. HARTMAN

2 had read the TUR, as it was written in that
3 sense, it sounds like it applies, so the
4 fact that there would be AAB members kind
5 of asking those questions I think seemed
6 reasonable.

7 Q. And yet you had earlier
8 testified that you did not invite the
9 plaintiffs into a meeting to discuss their
10 operations?

11 MS. MARINO: Object to form.
12 You can answer.

13 A. That's correct, yeah.

14 Q. Okay. Would you normally
15 invite an operator in to discuss their
16 operations before adopting resolutions that
17 impact them?

18 MS. MARINO: Object to form.
19 You can answer.

20 A. We have in the past. I mean, I
21 referenced the Million Air matter earlier
22 and we had invited them to come, and so
23 there is precedent for doing that, yeah.

24 Q. But you didn't do it in this
25 case?

1 N. HARTMAN

2 A. No.

3 Q. Okay. I'll jump up to T.

4 Hartman 10.

5 (Whereupon, Agenda, 7/12/2019,
6 was marked Hartman Exhibit 10 for
7 identification as of this date by the
8 Reporter.)

9 Q. I'm going to show you. This is
10 Hartman 10. I'm just going to direct your
11 attention to Page 5 on the minutes.

12 A. Right.

13 Q. Take a look at that. So, I'm
14 showing you the minutes from the June 26th,
15 2019, meeting of the Airport Advisory
16 Board.

17 A. Yes.

18 Q. And you were present?

19 A. Yes.

20 Q. I'm directing you to Page 5
21 where there is a conversation between Nick
22 Hartman, you, and Peter Schlactus. Do you
23 see that?

24 A. Yes.

25 Q. So, in this conversation you

1 N. HARTMAN

2 are explaining to him what a Part 135
3 operator is; correct?

4 A. Yes. Well, we're discussing
5 questions about a 135.

6 Q. So, the first question is, why
7 were you even having this conversation?
8 Because there's nothing on the agenda that
9 indicates that this is a topic. So, what
10 started this conversation?

11 A. So, it appears that this is in
12 relation to overall traffic volumes, and
13 that led into a conversation about these
14 particular types of operations, and so I
15 was trying to get some clarification from
16 Peter Scherrer, who was the airport manager
17 at the time, regarding the nature of the
18 operations and whether they were permitted.

19 Q. And Peter Scherrer responded to
20 you; correct?

21 A. Yes.

22 Q. Did his response say that they
23 could not continue to do what they were
24 doing at the airport?

25 MS. MARINO: Object to form.

1 N. HARTMAN

2 You can answer.

3 A. He indicated that they were
4 permitted to do what they were doing. He
5 did not reference Part 380, which I think
6 at the time we didn't know that they were
7 operating as a Part 380 operator, but he
8 does say that they are permitted in terms
9 of the way that they operate.

10 Q. And what you're saying here is,
11 quoting you, I'm not saying I'm for it or
12 against it, that's an accurate quote, I
13 guess?

14 A. Yeah, I recall saying something
15 to that effect, yes.

16 Q. And you say, and I quote, Their
17 scheduled airline flights are legal under
18 Part 135, but it's different than charter
19 operations.

20 A. Yes. So, Part 135 -- this is
21 where it gets into some of the nuance, but
22 Part 135 is allowed to have scheduled
23 operations within precise limitations
24 between certain city pairs and a certain
25 number of times per week, but the FAA does

1 N. HARTMAN

2 not consider that to be a scheduled air
3 carrier operation, which that's a little
4 bit of what I'm referring to there, in the
5 sense I was trying to understand, Was this
6 135 operation, which to the general public
7 appears to be an airline, a scheduled
8 operation, are they operating under this
9 caveat of Part 135? Which would allow them
10 to operate a very limited scheduled
11 operation, but it's not technically a
12 scheduled operation. It turns out, as we
13 now know it, that that actually wasn't
14 going on, this was really Part 380, but we
15 didn't know that at the time.

16 Q. Based on the minutes of this
17 meeting, there are no other board members
18 that are commenting on this issue?

19 A. Right -- well, yeah, Peter
20 Schlactus --

21 Q. Other than you and Peter
22 Schlactus?

23 A. -- me, and the airport manager.

24 Q. So, according to these minutes,
25 there was no board vote on this issue?

1 N. HARTMAN

2 A. Correct.

3 Q. And there was no consensus of
4 the board on this issue?

5 A. I think the only consensus was
6 to try to understand more information about
7 what was going on, but there was no
8 recommendation made or anything, yeah.

9 Q. But in your quest to get more
10 information, nobody -- you didn't reach out
11 to the plaintiffs to get information from
12 them as to how they were operating?

13 A. No.

14 Q. Thank you. Is it fair to say
15 then, that in April 2019, that the board
16 was aware of the operations of the
17 plaintiffs?

18 MS. MARINO: Object to form.

19 You can answer.

20 A. We were aware that they
21 existed, I think we didn't necessarily know
22 the nuances of under which regulatory
23 elements of the FAA they were operating,
24 but we knew that they were operating in the
25 general nature of the business model, yes.

1 N. HARTMAN

2 Q. And let me follow-up with that.
3 So, you are familiar with the business
4 model?

5 A. Yes.

6 Q. And could you describe that to
7 me?

8 A. So, I'm specifically thinking
9 of JSX, which is the one that advertises
10 very heavily, but they have proposed --
11 well, they advertise what looks like
12 scheduled flights on certain days, to
13 certain cities, with prices, you can book a
14 seat on those flights, and they -- somewhat
15 similar to what a traditional airline would
16 do, you would turn up to the terminal and
17 get on the flight and go to that location.
18 I think that's, to the general public, how
19 the flight appears, but the -- they're
20 operating as a Part 380 operation, which is
21 the public charter, so they are --
22 according to their terms and conditions
23 they are chartering an aircraft based on
24 the interest documented by those that have
25 purchased seats, and then they contract

1 N. HARTMAN

2 with a direct air carrier, Part 135
3 typically, and then they execute the
4 charter flight.

5 Q. So, what is the difference then
6 between a non-scheduled and a scheduled?

7 MS. MARINO: Object to form.

8 You can answer.

9 A. Well, so the FAA has had lots
10 of legal opinions about that, but it's my
11 understanding that the FAA has defined that
12 a Part 380 and Part 135 operation is, in
13 their terms, not scheduled, even though,
14 yes, they might have published times when
15 they would occur.

16 Q. So, based on the model you
17 described, these would be considered
18 non-scheduled?

19 A. Per my understanding of the way
20 the FAA defines those words, yes, they
21 would non-scheduled.

22 Q. Back to this document. Do you
23 know who Nancy Barr is?

24 A. Yes.

25 Q. She made a reference to a

1 N. HARTMAN

2 safety issue, you saw that?

3 A. Yes.

4 Q. She made a statement in here
5 that's not accurate. Did anybody correct
6 her about the security?

7 MS. MARINO: Object to form.

8 You can answer.

9 A. So, I think that's going back a
10 little bit to what I had mentioned
11 previously, where there were from time to
12 time comments about safety and whether or
13 not these operators had security, in the
14 general sense. I do not recall if in this
15 particular meeting I commented about the
16 nature of the security arrangements of
17 these operators, but I have certainly done
18 so in the past, I don't recall if it was
19 specifically at this meeting.

20 Q. So, is the Airport Advisory
21 Board aware of the security procedures that
22 these operators use?

23 A. We have been told by the
24 airport management in a general sense how
25 that works, and I have personally observed

1 N. HARTMAN

2 it in the ways that I referenced earlier at
3 Atlantic West. So, the Airport Advisory
4 Board's been informed about that a few
5 times.

6 Q. So, are you familiar with the
7 term SITA and non-SITA?

8 A. Yes.

9 Q. So, are you familiar with the
10 process of creating a new master plan for
11 the airport?

12 A. In a general sense, yes.

13 Q. Well, have you participated in
14 the process?

15 A. Yes.

16 Q. Are you aware there were public
17 hearings?

18 A. Yes.

19 Q. Did you attend any of the
20 public hearings?

21 A. Yes.

22 Q. Did you speak at any of the
23 public hearings?

24 A. Yes.

25 Q. What did you say?

1 N. HARTMAN

2 A. As I recall I spoke primarily
3 about the need for the master plan to
4 address the future of light general
5 aviation at the airport. I think I spoke
6 twice, I can't remember if I mentioned --
7 I've made lots of statements and I can't
8 remember if it was at that hearing or if it
9 was at other things.

10 Q. Are you familiar with the term
11 airport expansion?

12 A. Yes.

13 Q. And what does that mean to you?

14 A. So, I think it's a term that is
15 thrown around but often undefined. I think
16 to me, and the way I've heard it often
17 described by others, is the physical
18 expansion of the airport's boundaries or
19 core components of it, like lengthening the
20 runway or making the -- you know, extending
21 the physical perimeter of the airport, but
22 I'm aware that other people define it
23 differently.

24 Q. Well, so, has the Airport
25 Advisory Board discussed the term airport

1 N. HARTMAN

2 expansion?

3 A. Yes.

4 Q. And has the board come up with
5 a definition of airport expansion?

6 MS. MARINO: Object to form.
7 You can answer.

8 A. We have. It's been a hotly
9 discussed topic. I think we have in the
10 past referred to a county resolution, that
11 I believe was from 2003, where the county
12 put some definitions around that. But we
13 have also, in letters that we have written
14 to the county, cited that even that
15 definition is not consistently acknowledged
16 or followed. So, I think we've never made
17 a definitive statement about it, but it's
18 a -- we've made references to that term.

19 Q. So, let me ask you this. Then
20 what impact would more flights out of
21 Westchester have on the airport?

22 MS. MARINO: Object to form.
23 You can answer.

24 A. When you say impact, what do
25 you mean by that?

1 N. HARTMAN

2 Q. Well, I mean what impact would
3 additional flights out of the airport have
4 on the airport?

5 MS. MARINO: Object to form.

6 You can answer.

7 A. Yeah, I mean at some point you
8 would hit certain physical capacity limits
9 in terms of the amount of traffic a runway
10 could handle and the taxiways and parking
11 spots, so there would reach a point when
12 there would be physical limitations simply
13 because of the way the airport is designed,
14 but it depends on how much additional
15 traffic we're talking about.

16 Q. Would the Airport Advisory
17 Board be in favor of having more flights
18 out of the airport?

19 MS. MARINO: Object to form.

20 You can answer.

21 A. I think the Airport Advisory
22 Board would be split on that topic.

23 Q. Split 50/50 or --

24 A. I think it depends. There's a
25 lot of nuance to answering that question,

1 N. HARTMAN

2 right? So, in related to things like the
3 Terminal Use Agreement I think the general
4 characterization would be that as long as
5 the traffic stays within that Terminal Use
6 Agreement people are okay with that, even
7 though it may go up and down in given
8 years. In other places I think, generally
9 speaking, the board would not like to see
10 the airport get a lot bigger, but more
11 traffic is kind of a relative term, the
12 airport has less traffic now than it used
13 to, so we could have considerably more
14 traffic and still be less than some
15 previous periods. So, these terms --

16 Q. So, you're saying the airport
17 has less traffic now?

18 MS. MARINO: Object to form.

19 You can answer.

20 Q. Well, that was his answer.

21 A. Less traffic than it has in the
22 past, yes.

23 Q. You mean traffic meaning cars
24 or airplanes?

25 A. Airplanes.

1 N. HARTMAN

2 Q. So, currently the airport has
3 less airplane traffic than it had in the
4 past?

5 A. In terms of total operations,
6 yes.

7 Q. Is that due to a reduction in
8 light general aviation or in commercial?
9 Now I'm going to -- okay, just to clarify.
10 When I say commercial, I'm talking about
11 Delta, JetBlue, when I go online and pay
12 \$300 to fly to Miami, that's commercial.

13 A. Right.

14 Q. Light general aviation is
15 people like Nick Hartman who have their own
16 plane and fly in and out, or a corporate
17 executive.

18 A. Right. My recollection of the
19 numbers, and they do change a lot, is that
20 the airline operations are less than they
21 have been historically.

22 Q. Airline meaning commercially?

23 A. Airline meaning, yeah, Part
24 121, airline operations, yeah. And the
25 charter and corporate operations have gone

1 N. HARTMAN

2 up, and the light GA has gone down, I think
3 that's a high-level summary, but that's my
4 recollection.

5 Q. When you say the board would be
6 split, are there people on the board who
7 are advocates of more flights out of the
8 airport?

9 A. I don't -- I wouldn't
10 characterize it as advocates of more
11 flights, I think they are advocates of
12 having improvements to the facilities,
13 which may indirectly result in more
14 flights, but generally just advocates to
15 improve the facilities at the airport.
16 I don't think anybody is advocating to have
17 more flights I guess to directly answer
18 your question.

19 Q. Are there people advocating to
20 have fewer flights?

21 A. Yes.

22 Q. Members of the board or members
23 of the public?

24 A. Both.

25 Q. All right. So, let me jump to

1 N. HARTMAN

2 L. Hartman 11.

3 (Whereupon, Westchester County
4 Airport document was marked Hartman
5 Exhibit 11 for identification as of
6 this date by the Reporter.)

7 Q. So, I'm going to show you a
8 document that just says Westchester County
9 Airport Executive Summary. And I just ask
10 you if you've ever seen this document
11 before.

12 A. This appears to be some sort of
13 like white paper written by an advocacy
14 group. I don't know if I've seen this
15 specific document, but I'm aware that there
16 were similar documents prepared, but I
17 don't recall if I've ever seen this exact
18 document before.

19 Q. So, do you know who prepared
20 this document?

21 A. No, not at the moment.

22 Q. Thank you. I'll put it away.
23 We'll go to B. Hartman 12.

24 (Whereupon, Resolution,
25 COW00001159, was marked Hartman

1 N. HARTMAN

2 Exhibit 12 for identification as of
3 this date by the Reporter.)

4 Q. That's going to be Hartman 12.
5 It's a resolution for the county. This was
6 a resolution adopted by your board.

7 A. Okay.

8 Q. Does this look familiar to you?

9 A. Yes.

10 Q. And can you tell me what the
11 intent of this resolution is?

12 A. As I recall there was
13 discussion about the fact that the landing
14 fees at Westchester were less than some
15 nearby similar airports, and attempting to,
16 or suggesting, I should say, to raise the
17 landing fees to generate more revenue.

18 Q. Yes. And, so, it is the -- if
19 you go to the bottom of the resolved
20 clause, they're looking to create a funding
21 plan that excludes FAA grants. What is the
22 point of that?

23 A. Yes. Oh, yes. So, there's
24 been a -- so, when the airport takes money
25 from the federal government there are grant

1 N. HARTMAN

2 assurances that are a long list of
3 requirements that the airport sponsor,
4 which in this case would be the county, has
5 to follow, and there is a -- some of the
6 advocates, that would like to see some
7 change at the airport, have a sort of
8 theory, that if the airport stops accepting
9 federal funding then these grant assurances
10 would expire at some point, and when they
11 expired then the county could do things
12 that would otherwise be limited by these
13 grant assurances. So, I think they're
14 attempting to essentially make the airport
15 not rely on the federal monies, and then
16 after a period of time it could do things
17 that the federal government would normally
18 prevent.

19 Q. And what things are those that
20 they could do that the federal government
21 could not prevent?

22 MS. MARINO: Object to form.

23 You can answer.

24 A. So, generally speaking, I think
25 the intent, as it was explained to me by

1 N. HARTMAN

2 such individuals, was to limit -- to do
3 things like impose a curfew, to limit
4 traffic or certain types of operations at
5 the airport. Currently we have a voluntary
6 restraint from flying, but based on the
7 legal history of that it is strictly
8 voluntary, so one of the things they would
9 like to do would be to impose a permanent
10 curfew.

11 Q. Did you vote on this
12 resolution?

13 A. I don't recall.

14 Q. Do you support this resolution?

15 A. Reading it now, I would not,
16 no.

17 Q. And among those things that
18 they think, the advocates think they can
19 do, would that include limiting my clients'
20 operations?

21 MS. MARINO: Object to form.

22 You can answer.

23 A. As per my understanding of the
24 motivations of those individuals, I would
25 imagine that to be the case, yes.

1 N. HARTMAN

2 Q. And who are those individuals?

3 A. I would think it's primarily
4 the coalition group that I mentioned
5 earlier, that Coalition to Prevent
6 Westchester County Airport Expansion.

7 Q. Coalition to Prevent Airport
8 Expansion?

9 A. Yeah, that's generally where
10 those sort of comments would come from.

11 Q. So, let's go up to C then.
12 Hartman 13.

13 (Whereupon, Resolution,
14 COW00001160, was marked Hartman
15 Exhibit 13 for identification as of
16 this date by the Reporter.)

17 Q. This is another resolution.
18 Have you ever seen this resolution?

19 A. I believe so, yes.

20 Q. Okay. Thank you. And does the
21 board have a noise abatement policy?

22 A. The board does not, no. The
23 airport does, but the board does not.

24 Q. And is the board happy with the
25 abatement program at the airport?

1 N. HARTMAN

2 A. I think the -- no, because the
3 noise abatement procedures essentially
4 direct traffic to fly over certain areas
5 that are -- well, as it says, that the
6 existing noise abatement procedure directs
7 traffic to fly over the Town of New Castle
8 and Pleasantville, so we have board members
9 that are in those areas and do not like
10 that.

11 Q. Do you have board members who
12 don't live in Pleasantville and New Castle?

13 A. Yes.

14 Q. And do they find the noise
15 abatement program unsuccessful?

16 A. I think -- I don't know if it
17 characterizes it as unsuccessful, but I
18 think that they would question its
19 effectiveness.

20 Q. So, are you satisfied with the
21 noise abatement program as chair?

22 A. I would -- I would say -- I
23 would say yes, in the sense that it has
24 been in place for a very long time, and it
25 defines a particular set of traffic

1 N. HARTMAN

2 patterns that have been established for
3 many decades, and therefore, because
4 airplanes will unavoidably create noise,
5 that if people at least have a clear
6 understanding of where it is, then they can
7 make their own decisions about whether that
8 is an issue of concern for them or not. If
9 we were to change the procedure then that
10 potentially could.

11 Q. Is the board currently
12 contemplating changing the noise abatement
13 program?

14 MS. MARINO: Object to form.
15 You can answer.

16 A. The noise abatement program,
17 which is maybe a bit of a broad term, I
18 don't think so, but we are -- we had looked
19 at a potential alternative approach
20 procedure which would address the issue of
21 noise. I wouldn't characterize that as a
22 noise abatement procedure, per se, but
23 yeah.

24 Q. Okay. Thank you for that. On
25 to D. This is Hartman 14, another

1 N. HARTMAN

2 resolution. Take a look at this, please.

3 Are you ready?

4 (Whereupon, Resolution,
5 COW00001161, was marked Hartman
6 Exhibit 14 for identification as of
7 this date by the Reporter.)

8 A. Yes.

9 Q. So, have you ever seen this
10 resolution?

11 A. I believe I have, yes.

12 Q. And did you vote for it?

13 A. I don't recall.

14 Q. Well, do you support what it
15 says?

16 A. No.

17 Q. Do you know if the board
18 adopted this resolution?

19 A. I don't recall.

20 Q. Okay. So, my question to you
21 is then why would the Airport Advisory
22 Board want the county to hold all capital
23 spending on aviation pending a master plan?

24 MS. MARINO: Object to form.

25 You can answer.

1 N. HARTMAN

2 A. Well, I think the concern,
3 which has been expressed broadly, is just
4 that the master plan should be the thing
5 that dictates the capital expenditure, and
6 that having capital projects without the
7 plan in place was inappropriate. I think
8 that was the spirit of what was going on
9 here.

10 Q. Do you know who proposed this?

11 A. I believe it was Jonathan Wang,
12 but I'm not a hundred percent certain,
13 but -- so I guess the answer is no, I
14 don't.

15 Q. And is Jonathan Wang still on
16 the board?

17 A. No.

18 Q. Okay. Thank you. Go on to E.
19 Hartman 15. Does this look familiar?

20 (Whereupon, Resolution,
21 COW00001162, was marked Hartman
22 Exhibit 15 for identification as of
23 this date by the Reporter.)

24 A. I believe I've seen this
25 before, yes.

1 N. HARTMAN

2 Q. Did you vote for it?

3 A. I don't recall.

4 Q. Do you support it?

5 A. No.

6 Q. Can you describe the voluntary
7 restraint from flying, the VRFF --

8 A. Yes.

9 Q. -- referenced in this
10 resolution?

11 A. Yeah. So, there was
12 previously, I believe it was in the 1980's,
13 a curfew that was put in place during
14 overnight periods that prevented traffic
15 from flying in and out of the airport that
16 included various penalties associated with
17 it. The county was sued in federal court
18 by a range of parties, the court ruled in
19 favor of those parties and put an
20 injunction in place that prevents the
21 county from having a curfew essentially.

22 Q. What is the curfew, between
23 what and what?

24 A. Well, back then I don't know
25 what the hours were, but I was trying to

1 N. HARTMAN

2 explain where the VRFF came from. But out
3 of that the current VRFF was born, which is
4 between 11 P.M. and 6:30 A.M., where
5 essentially operators are requested to not
6 operate during that period, but it is
7 strictly voluntary, and there are
8 operations that happen then, they are
9 tracked in a database and reported as part
10 of our monthly board meetings and to
11 other -- I'm assuming the county, as well,
12 receives those reports.

13 Q. What is the relationship
14 between the voluntary restraint curfew and
15 the leases of these various FBO's?

16 MS. MARINO: Object to form.
17 You can answer.

18 A. So, my understanding is the
19 leases contain provisions to ensure that
20 the tenants of those -- or the customers of
21 those FBO's are aware that this program
22 exists and are aware of the request they do
23 not operate during that period.

24 Q. And do you know if the county
25 included any language on the curfew in

1 N. HARTMAN

2 these leases?

3 MS. MARINO: Object to form.

4 You can answer.

5 A. Yes, yes, there's references to
6 the VRFF in at least a few leases that I
7 have seen.

8 Q. All right. Thank you. Go on
9 to F, Hartman 16.

10 (Whereupon, Resolution,
11 COW00001164, was marked Hartman
12 Exhibit 16 for identification as of
13 this date by the Reporter.)

14 Q. Does this look familiar to you?

15 A. Yes.

16 Q. Did you vote for this?

17 A. I do not recall.

18 Q. Do you support it?

19 A. No.

20 Q. Okay. You're in the minority
21 on a lot of this. So, tell me, what's
22 ANOM's?

23 A. It's -- I can't remember what
24 the acronym stands for, but it is a network
25 of noise sensors as well as a computer

1 N. HARTMAN

2 system and other data that tracks airport
3 operations and the noise generated by
4 airport operations in and out of the
5 airport.

6 Q. And what is the genesis of this
7 resolution?

8 A. So, there was conversation
9 amongst members of the board, advisory
10 board, regarding the accuracy of the data
11 that was produced by these microphones and
12 the system overall, in part because the
13 data from the system did not always
14 cooberate complaints that were made in
15 terms of the overall levels of noise coming
16 from the airport, and so there was a theory
17 that the system was somehow not working
18 properly, and so I think that was the
19 origin behind what this is saying.

20 Q. To your knowledge, did the
21 county adjust to the ANOM's system?

22 A. So, I do recall speaking with
23 the airport management about the ANOM
24 system in relation to this topic of if it
25 was accurate, and was told that it is

1 N. HARTMAN

2 regularly audited by a third-party, and
3 there was no evidence that there was any
4 problems with this system.

5 Q. Is Bruel & Kjaer still your
6 vendor for ANOM's?

7 A. I believe so, yes.

8 Q. On to G. We're at 17.

9 (Whereupon, Resolution,
10 COW00001165, was marked Hartman
11 Exhibit 17 for identification as of
12 this date by the Reporter.)

13 Q. Hartman 17. Have you ever seen
14 this before?

15 A. This one I don't remember, so
16 I'm not sure.

17 Q. Well, it's from your --

18 A. Do you remember what meeting it
19 was from?

20 Q. I don't. Hopefully you're
21 going to tell us that.

22 A. Yeah, I think -- yeah, I think
23 I did, yes.

24 Q. Okay. So, did you vote for it?

25 A. I don't recall.

1 N. HARTMAN

2 Q. Do you support it?

3 A. In its entirety, no.

4 Q. Do you know who proposed this
5 resolution?

6 A. I believe it was Jonathan Wang,
7 but I'm not entirely sure.

8 Q. And do you know if it was
9 adopted?

10 A. I don't recall.

11 Q. So, did the advisory board meet
12 with any of the impacted airlines before
13 adopting this resolution?

14 A. Not to my knowledge, no.

15 Q. Would the AAB meet with the air
16 operators impacted by this resolution?

17 MS. MARINO: Object to form.

18 You can answer.

19 A. If this became -- if this came
20 before me today, yes, I would say we
21 should, so yes.

22 Q. Well, assuming this was already
23 adopted, would you still meet with them?

24 A. Yes.

25 Q. Okay. Did the AAB get any

1 N. HARTMAN

2 information from the county before adopting
3 this resolution?

4 MS. MARINO: Object to form.

5 You can answer.

6 A. Not to my knowledge.

7 Q. And did the AAB get any
8 information from Avports before adopting
9 this resolution?

10 A. Not to my knowledge.

11 Q. Why did the board recommend the
12 hiring of an outside law firm?

13 MS. MARINO: I would just
14 caution the witness to the extent
15 he's been -- he or the board was
16 counseled by the law department, it's
17 attorney-client privilege, and I
18 would direct him not to answer.

19 Q. Yeah, if you were -- yeah, but
20 I'm saying, here it's pretty -- the
21 question is, why did they ask to hire an
22 outside law firm? That's the question.

23 A. I don't know is the answer.

24 Q. Yeah, that's fine. Well, in
25 your opinion, has the board lost confidence

1 N. HARTMAN

2 in the county attorney's office?

3 MS. MARINO: Object to form.

4 You can answer.

5 A. I think there are some members
6 of the board who would be frustrated
7 with -- if the county attorney was doing
8 things that they wanted, but I wouldn't
9 classify that as the board, in its
10 entirety, losing faith in the county
11 attorney's office.

12 Q. Well, do you think the county
13 attorney's office is capable of handling
14 airport-related litigation?

15 A. Yes.

16 Q. And how often does the board
17 recommend the retention of outside counsel?

18 A. To my knowledge, we have not
19 done that, but --

20 Q. Well, I would --

21 A. Yeah, apart --

22 Q. Other than this resolution?

23 A. Other than this, this is --
24 other than this, no, I would not know.

25 Q. Do you know who Kirsch, Peter

1 N. HARTMAN

2 Kirsch, is?

3 A. No.

4 Q. Have you ever met him?

5 A. Not to my knowledge.

6 Q. Are you familiar with the firm
7 Kaplan, Kirsch & Rockwell?

8 A. No.

9 MR. CAREY: I'm sorry, just to
10 clarify, has there been testimony
11 that this was an adopted resolution?

12 MR. NOTO: No, I'm asking him
13 if it was adopted. It was before the
14 board obviously and this is part of
15 your package of documents.

16 MR. CAREY: Was it before the
17 board obviously?

18 MR. NOTO: Yeah, apparently it
19 was, but we can't find, you know,
20 minutes on it.

21 MR. CAREY: It's Bates stamped,
22 so it was produced.

23 MR. NOTO: You did produce it,
24 yes.

25 MR. CAREY: And it also could

1 N. HARTMAN

2 have been a proposal attached to an
3 email?

4 MR. NOTO: Yes, yes, that's why
5 I'm asking him.

6 Q. That's it on that one. Let's
7 jump to H. This is Number 18. So, have
8 you seen this before?

9 (Whereupon, email, 6/22/22,
10 was marked Hartman Exhibit 18 for
11 identification as of this date by the
12 Reporter.)

13 A. Yes.

14 Q. And this is an email you wrote?

15 A. Yes.

16 Q. Okay. And the recipients are
17 members of the board?

18 A. Members of the board, Aviva
19 Meyer, Victoria Esters, and April Gasparri.
20 April is the present airport manager, and,
21 yeah, Victoria Esters works in the office
22 at the airport.

23 Q. Do you remember writing this
24 email?

25 A. Yes.

1 N. HARTMAN

2 Q. And where did you get the
3 information that you put in this email?

4 A. The specific information here
5 was, I believe, from the public court
6 filings that had taken place at the time.

7 Q. So, you didn't get any of this
8 information from your attorneys?

9 MS. MARINO: I would caution
10 the witness --

11 MR. NOTO: Well, he can say he
12 got it from you, he just can't -- I
13 understand anything you said to him
14 is privileged.

15 MS. MARINO: Correct.

16 A. I was careful to limit the
17 things that I was writing to be things that
18 were publicly available in the docket.

19 Q. Just the question is, where did
20 you get it --

21 A. Yeah, yeah.

22 Q. -- and I'm not commenting on
23 the substance of it, I'm just saying, the
24 question is, where did you get the
25 information that you put in the email?

1 N. HARTMAN

2 A. So, sometimes I would get
3 material from the docket myself, sometimes
4 the county would send me material from the
5 docket, because it's --

6 Q. County meaning who?

7 A. The county attorney's office.

8 Q. Because there's a difference
9 between county attorney and some other
10 department.

11 A. And to clarify, because when it
12 was a federal case, it was in PACER. I do
13 have a PACER account, but --

14 Q. You do?

15 A. Yeah. But I figured --

16 Q. Unusual for a non-lawyer.

17 A. But because of the way it works
18 I'm always slightly nervous using it with
19 the charges, so given that the county has
20 access to all these documents, and they are
21 technically public record, sometimes I
22 would just ask for specific docket items
23 because then I wouldn't have to pay for it,
24 but they were --

25 Q. So, your answer is you got it

1 N. HARTMAN

2 from?

3 A. Some of it came directly from
4 the county and some of it I obtained
5 myself.

6 Q. Okay. And when you say the
7 county, do you mean the county attorney?

8 A. The county attorney's office,
9 yes, I'm sorry.

10 Q. Do you know which you got from
11 PACER and which you got from the county
12 attorney's office

13 A. That, I don't recall, no.

14 Q. Has the board ever discussed
15 what impact the operations of the
16 plaintiffs have on the airport?

17 A. Yes.

18 Q. And does the board think that
19 the operations of the plaintiffs constitute
20 an expansion of the airport?

21 MS. MARINO: Object to perform.

22 You can answer.

23 A. I believe some members of the
24 board would characterize it this way.

25 Q. Would you say a majority of the

1 N. HARTMAN

2 board?

3 A. That would be hard for me to
4 say, because we haven't specifically voted
5 on it.

6 Q. Okay. Can you identify any
7 negative impact that the plaintiffs'
8 operations have on the airport?

9 MS. MARINO: Object to form.
10 You can answer.

11 A. On the airport, itself?

12 Q. Yes.

13 A. Well, I think I would refer to
14 my earlier testimony around me, as a light
15 GA pilot, and the fact that one of your
16 clients operates out of the terminal and
17 that can be disruptive to other customers
18 there, so I would characterize that as a
19 negative impact.

20 Q. And then is that your only
21 negative -- other than being
22 inconvenienced, is there any other impacts
23 you can identify?

24 A. I think the -- there's been
25 board members who have said that if

1 N. HARTMAN

2 there -- if they -- if TUR can't limit them
3 then there could, in theory, be a lot of
4 activity above and beyond what the TUR was
5 intending. I think it's been pointed out,
6 though, that the overall volume of these
7 operations is quite small relative to the
8 overall airport, so from a practical sense
9 it's hard to say that it had measurable
10 negative impact.

11 Q. Okay. Well, as a matter of
12 policy, do you think the board would prefer
13 more flights or fewer flights coming out of
14 the airport?

15 MS. MARINO: Object to form.
16 You can answer.

17 A. I think kind of to what I was
18 saying earlier, that's maybe too broad of a
19 question. I think it depends on the type
20 of flights. So, I think the board,
21 generally speaking, in its discussions has
22 said, it's sort of taken as an agreement
23 the TUR defines a certain capacity, and as
24 long as the numbers stay under that
25 capacity board members seem to be satisfied

1 N. HARTMAN

2 with that. You could, in theory, have more
3 flights, but if they were within the limits
4 capped by the TUR I think even those board
5 members that are concerned about things
6 like traffic would be okay because they
7 would see the TUR is like a circuit
8 breaker.

9 Q. Well, in terms of overall use
10 of the airport, what percentage is light
11 general aviation and what percentage is
12 commercial?

13 MS. MARINO: Object to form.
14 You can answer.

15 A. So, those numbers are available
16 specifically, but to my recollection it's
17 roughly 15 percent commercial, and I would
18 just clarify the Part 121, because
19 commercial could mean Part 135, too, and
20 then the light GA probably about 20
21 percent, and the remaining is charters and
22 corporate operators, to my knowledge, but
23 those numbers are all very specifically
24 tracked and available.

25 Q. Let's go to I, Hartman 19.

1 N. HARTMAN

2 (Whereupon, Minutes, 8/10/22,
3 was marked Hartman Exhibit 19 for
4 identification as of this date by the
5 Reporter.)

6 Q. I'm going to show I, which is
7 the meeting minutes for your board on
8 August 10th, 2022. So, if you look at Page
9 3, which is the Bates stamp of 5174.
10 Midway down it says, The county has allowed
11 the charter operators to continue to
12 operate out of the FBO's until a Court
13 determines otherwise. The board is
14 requesting additional information from
15 county and Airport Public Charter
16 Operational Policy Number 1. Did you
17 receive that information?

18 A. I think, as I recall, the only
19 thing we may have received is a copy of the
20 policy and additional correspondence that
21 was filed in the case, but I don't think we
22 received any other specific information.

23 Q. So, other than the policy --
24 now this is in August of 2022, the policy
25 was dated January of 2022?

1 N. HARTMAN

2 A. Correct, yeah.

3 Q. So, is it your testimony that
4 it took seven months for the county to
5 share that with you?

6 A. Yeah, we -- to my knowledge we
7 were never pro-actively given a version, a
8 copy of the policy, it's something we had
9 to request. I don't recall exactly how
10 long that time was, but we only saw the
11 policy after it was already published or
12 released.

13 Q. Okay. So, other than getting
14 the copy of the policy, you received no
15 other information?

16 A. Well, the fact that there was
17 this litigation happening related to the
18 policy, but that was after the policy was
19 published.

20 MR. NOTO: Right, right. Okay.
21 That's it for me. Do you have
22 anything else?

23 MS. GRIMES: No.

24 Q. I have one last question. In
25 the minutes after this meeting, do you

1 N. HARTMAN

2 recall any information on this other than
3 what you've already provided and testified
4 to?

5 A. No. I mean the only other
6 things that we discussed about this from
7 that point forward was, I would say,
8 factual updates regarding the progress of
9 the case, and those things being things
10 that were in public record.

11 Q. And when you get those updates,
12 are they provided by the county attorney or
13 someone else?

14 A. Typically the county attorney.

15 Q. So, does a member of the county
16 attorney's office attend your meetings and
17 then update you?

18 A. They don't usually attend, but
19 I've spoken to them outside of the
20 meetings.

21 Q. I mean, do you meet with the
22 county attorney's office as a board?

23 A. Typically, no. We have asked
24 for guidance on some matters, but I think
25 those would be privileged.

1 N. HARTMAN

2 Q. No, of course. But the board
3 reaches out to the county attorney for
4 advice?

5 A. We have done so, yes.

6 Q. Okay. And when you do that, do
7 you meet with them in person or is it done
8 via email?

9 A. In the times that it's happened
10 it's been through email or phone call.

11 Q. Okay. So, you don't physically
12 meet with them?

13 A. I have not, no.

14 Q. And the board doesn't,
15 apparently?

16 A. Not to my knowledge.

17 MR. NOTO: All right. Thank
18 you. Do you guys have anything to
19 add?

20 MS. MARINO: No, we're good.

21 MR. CAREY: No, we're good.

22 (Whereupon, at 12:15 P.M., the
23 Examination of this Witness was
24 concluded.)

25 * * *

1 DELUX PUBLIC CHARTER, et al.
vs. COUNTY OF WESTCHESTER, et al.

2 2/13/2023 - NICHOLAS HARTMAN

3 ACKNOWLEDGEMENT OF DEPONENT

4 I, NICHOLAS HARTMAN, do hereby declare
5 that I have read the foregoing transcript,
6 I have made any corrections, additions, or
7 changes I deemed necessary as noted on the
8 Errata to be appended hereto, and that the
9 same is a true, correct and complete
10 transcript of the testimony given by me.

11
12 _____
13 NICHOLAS HARTMAN

Date

14 *If notary is required

15
16 SUBSCRIBED AND SWORN TO BEFORE ME THIS
17 _____ DAY OF _____, 20____.

18
19
20 _____
21 NOTARY PUBLIC
22
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

E X H I B I T S

HARTMAN EXHIBITS:

EXHIBIT NUMBERS	EXHIBIT DESCRIPTION	PAGE
Exhibit 1	Avports document	35
Exhibit 2	Local Law Number 12	41
Exhibit 3	Rules and Regulations	44
Exhibit 4	Agenda, 10/24/18	46
Exhibit 5	Agenda, 11/14/18	49
Exhibit 6	Agenda, 1/23/19	51
Exhibit 7	Email, 11/6/18	59
Exhibit 8	Agenda, 3/20/19	62
Exhibit 9	Email, 3/1/19	66
Exhibit 10	Agenda, 7/12/29	78
Exhibit 11	Westchester County Airport document	93
Exhibit 12	COW00001159 Resolution	93
Exhibit 13	COW00001160 Resolution	97
Exhibit 14	COW00001161 Resolution	100
Exhibit 15	COW00001162 Resolution	101
Exhibit 16	COW00001164 Resolution	104
Exhibit 17	COW00001165 Resolution	106

(Continued on following page.)

E X H I B I T S

HARTMAN EXHIBITS:

EXHIBIT NUMBERS	EXHIBIT DESCRIPTION	PAGE
Exhibit 18	Email, 6/22/22	111
Exhibit 19	Minutes, 8/10/22	118

(Exhibits retained by counsel.)

I N D E X

EXAMINATION BY	PAGE
MR. NOTO	4

INFORMATION AND/OR DOCUMENTS REQUESTED	PAGE
INFORMATION AND/OR DOCUMENTS	
(NONE)	

C E R T I F I C A T E

STATE OF NEW YORK)
: ss.:
COUNTY OF ROCKLAND)

I, JOANNE SHERIDAN, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 17th day of February 2023.



JOANNE SHERIDAN

1 DELUX PUBLIC CHARTER, et al.
vs. COUNTY OF WESTCHESTER, et al.

2 2/13/2023 - NICHOLAS HARTMAN

3 E R R A T A S H E E T

4 PAGE _____ LINE _____ CHANGE _____

5 _____

6 REASON _____

7 PAGE _____ LINE _____ CHANGE _____

8 _____

9 REASON _____

10 PAGE _____ LINE _____ CHANGE _____

11 _____

12 REASON _____

13 PAGE _____ LINE _____ CHANGE _____

14 _____

15 REASON _____

16 PAGE _____ LINE _____ CHANGE _____

17 _____

18 REASON _____

19 PAGE _____ LINE _____ CHANGE _____

20 _____

21 REASON _____

22 _____

23 _____

24 NICHOLAS HARTMAN Date

25

[& - 44]

Page 1

&	111 124:7	18 32:2 111:7	2023 1:11
& 1:18 2:4 3:16 35:5 106:5 110:7	118 124:8	111:10 124:7	125:21
0	11:07 66:2	19 16:13 24:5	21 35:24 36:15
01930 1:6	11:15 66:3	117:25 118:3	21st 36:12 38:3
1	12 41:20 42:2	124:8	23rd 52:3
1 3:16 35:12,14 35:18 37:2 43:10 45:8,24 118:16 123:5	93:23 94:2,4	1980's 102:12	24674 125:22
1/21/22 36:20	123:6,17	1981 5:15	24th 50:17,24
1/23/19 51:21	12,500 7:11	1985 40:8	26th 78:14
123:10	14:9	1990 40:25	27th 63:5
10 78:4,6,10	121 91:24	41:3	29 47:13
123:14	117:18	2	2nd 5:15
10/24/18 46:20	12:15 121:22	2 41:19,21,25	3
123:8	13 1:11 97:12	61:12 123:6	3 44:3,6 118:9
100 123:19	97:15 123:18	2/13/2023	123:7
101 123:20	135 25:15,23,24	122:2 126:2	3/1/19 66:10
104 123:21	26:10 27:5,11	20 117:20	123:13
10580 1:20 2:5	27:15 76:17	122:17	3/20/19 62:18
106 123:22	79:2,5 80:18	2001 7:17	123:12
10601 2:14	80:20,22 81:6	2003 88:11	30 3:15 58:25
10803 4:13	81:9 84:2,12	2004 42:2	300 91:12
10:00 1:12	117:19	2008 8:10	35 12:12 123:5
10c 51:12	14 99:25 100:6	2015 6:25 7:6	380 25:18
10th 118:8	123:19	2018 47:12	26:11,15,17
11 17:18 93:2,5	1400 2:10	49:21 50:21	27:11,17 39:12
103:4 123:15	148 2:14	60:8	40:16 76:18
11/14/18 49:12	14th 50:21 62:5	2019 8:22	80:5,7 81:14
123:9	62:6	33:14 38:11	83:20 84:12
11/6/18 59:24	15 101:19,22	52:3 63:5 73:9	4
123:11	117:17 123:20	78:15 82:15	4 46:19,21
	16 104:9,12	2020 16:12	47:11 123:8
	123:21	33:14	124:15
	17 106:8,11,13	2022 35:24	41 123:6
	123:22	36:8,9,12,15	44 123:7
	17th 125:21	38:3,14 118:8	
		118:24,25	

[46 - advocates]

Page 2

46 123:8	7:00 18:18	accuracy	adopting 77:16
49 123:9	7:22 1:6	105:10	107:13 108:2,8
5	8	accurate 80:12	adoption 48:19
5 2:10 49:11,13	8 62:17,19,23	85:5 105:25	advance 26:8
49:18 78:11,20	63:9,9,13	acknowledged	advertise 83:11
123:9	123:12	88:15	advertisements
50/50 89:23	8/10/22 118:2	acknowledge...	25:3 53:23,25
51 123:10	124:8	122:3	advertises 83:9
516 4:12	9	acronym	advertising
5174 118:9	9 66:9,11	104:24	76:16
555 1:19 2:5	123:13	action 125:17	advice 71:13
59 123:11	91 7:12	actively 119:7	121:4
5947 66:16	92614-2545	activist 61:2	advise 34:15
6	2:10	activities 42:21	68:14
6 51:20,20,22	93 123:16,17	45:18 56:15	advisory 8:20
52:2 123:10	97 123:18	activity 116:4	9:21 16:8 25:6
6/22/22 111:9	a	actually 23:4	28:25 32:12
124:7	a.m. 1:12 103:4	24:5 50:22	34:24 36:17
600 2:14	aab 15:22	65:10,19 81:13	37:12 38:3
62 123:12	47:12 70:20,21	add 121:19	41:5,16 46:8
6538 45:2,4	71:7,13 77:4	additional 89:3	47:23 55:16
66 123:13	107:15,25	89:14 118:14	59:7,12,16
6:30 103:4	108:7	118:20	60:25 61:19
6th 60:8	abatement	additions 122:6	63:4 66:25
7	97:21,25 98:3	address 4:11	67:12 78:15
7 59:23,25 60:4	98:6,15,21	5:13 64:6 87:4	85:20 86:3
123:11	99:12,16,22	99:20	87:25 89:16,21
7/12/2019 78:5	ability 10:22	adjust 105:21	100:21 105:9
7/12/29 123:14	above 63:21	administer	107:11
712.462 44:24	116:4	3:11	advocacy 22:9
45:8	accepting 95:8	adopted 48:22	22:13 93:13
7124621 42:8	access 113:20	94:6 100:18	advocate 12:20
78 123:14	account 113:13	107:9,23	20:8
		110:11,13	advocates 92:7
			92:10,11,14

[advocates - answer]

Page 3

95:6 96:18 advocating 13:5 15:5 92:16,19 affect 55:15 agenda 18:25 19:3,8,9,15 41:15 46:20 49:3,6,12 51:21 52:3,6 52:18,24 53:11 61:14 62:4,18 67:13,18 75:13 78:5 79:8 123:8,9,10,12 123:14 aggregate 29:19 aggregated 29:15 ago 21:15 25:4 32:2 agree 41:6 43:2 43:21 agreed 3:4,19 agreement 29:3 30:15 54:6 90:3,6 116:22 ahead 60:14 air 1:4 13:8,12 14:25 24:15 27:3 77:21 81:2 84:2 107:15	aircraft 7:8,11 7:13,15,20,22 11:23 54:25 57:18,20,22,24 58:4,5 64:18 83:23 airline 24:6 40:7,14 80:17 81:7 83:15 91:20,22,23,24 airliners 64:14 airlines 12:3 23:17 25:8 29:23 42:16,19 45:13,16 107:12 airplane 91:3 airplanes 58:17 90:24,25 99:4 airport 1:8 7:24 8:20 9:21 10:23 11:3,4,5 12:22 15:10 16:8 18:7,22 20:9,17 21:5 21:18 22:15 23:18 25:2,6 25:12 27:10 28:25 31:21 32:10,12,17,17 32:18,20 33:5 34:4,17,24 36:17 37:12 38:3 40:9 41:5 41:15 42:16,21	43:4,22 44:17 44:21 45:13,18 45:20 46:8 47:17,22 53:23 54:18 56:6 58:19,20,21 59:7,12 60:25 61:3,19 63:4 64:24 66:25 67:12 68:25 69:3 73:2,4,6 73:13,23 76:8 78:15 79:16,24 81:23 85:20,24 86:3,11 87:5 87:11,21,24,25 88:5,21 89:3,4 89:13,16,18,21 90:10,12,16 91:2 92:8,15 93:4,9 94:24 95:3,7,8,14 96:5 97:6,7,23 97:25 100:21 102:15 105:2,4 105:5,16,23 109:14 111:20 111:22 114:16 114:20 115:8 115:11 116:8 116:14 117:10 118:15 123:16 airport's 87:18 airports 57:4 94:15	al 122:1,1 126:1,1 allocated 17:22 17:24 18:6 allow 81:9 allowed 31:2 80:22 118:10 alternative 99:19 amazon 5:25 ambiguity 39:10 amount 89:9 anca 40:19 ancillary 58:8 annual 15:24 anom 105:23 anom's 104:22 105:21 106:6 answer 5:5,6,6 10:14 13:20 15:12 37:15,20 38:23 39:7,16 39:18 40:4,24 41:8 43:7 44:14 46:2 54:20 55:19 56:3 68:15 72:10 74:21 75:24 76:10 77:12,19 80:2 82:19 84:8 85:8 88:7,23 89:6,20 90:19 90:20 92:17
---	--	---	--

[answer - aviva]

Page 4

95:23 96:22 99:15 100:25 101:13 103:17 104:4 107:18 108:5,18,23 109:4 113:25 114:22 115:10 116:16 117:14 answering 89:25 answers 4:21 anybody 12:6 12:18 19:25 38:17 85:5 92:16 apart 109:21 apparently 61:13 67:7 110:18 121:15 appear 39:22 43:14 52:19 75:5 appears 39:8 47:2 49:20 62:25 79:11 81:7 83:19 93:12 appended 122:8 applicability 42:9,13 43:11 50:2 51:5 52:17 applicable 61:15	applied 54:6 70:6 72:17 applies 39:12 43:14 47:18 77:3 apply 39:9 42:14,21 43:3 43:22 45:10,17 73:3 75:3 76:21 appointed 8:20 8:23 9:17 16:13 appointment 9:3 appreciate 4:21 appreciates 67:20 approach 99:19 approached 9:7 april 1:8 82:15 111:19,20 areas 98:4,9 arrange 26:5 arrangements 26:23 85:16 arranging 26:6 arriving 58:7 asked 9:11 54:10 59:19 71:3 120:23 asking 46:15 54:5 62:4 77:5	110:12 111:5 aspect 76:15 aspects 13:24 assistant 2:15 2:17 9:9 35:4 associated 23:6 58:3 102:16 association 11:18 12:20 13:2,11 20:14 20:24 assuming 103:11 107:22 assurances 95:2,9,13 atlantic 7:23,25 54:24 56:7 86:3 attached 47:4 47:12 50:15 52:6 111:2 attempting 48:3 94:15 95:14 attempts 41:13 attend 12:18 19:25 22:19,21 32:19 86:19 120:16,18 attendance 50:12,21 attending 9:21 50:6,18 62:11 attention 9:19 49:23 52:10	61:11 63:8 78:11 attorney 2:13 2:15,17 68:12 108:17 109:7 113:9 114:7 120:12,14 121:3 attorney's 109:2,11,13 113:7 114:8,12 120:16,22 attorneys 2:4,9 2:13 5:3 6:11 112:8 audited 106:2 august 118:8 118:24 authorized 3:11 25:25 available 70:9 112:18 117:15 117:24 avenue 1:19 2:5 2:14 4:12 aviation 11:2 11:18,21,22,22 12:2,19 13:11 14:6,8,11 20:13,16 58:11 87:5 91:8,14 100:23 117:11 aviva 35:3 48:13,14 66:24 111:18
---	---	--	---

[avports - broadly]

Page 5

avports 1:8 32:4,7,8,13 33:2,16,21 34:3,7 35:13 35:22 37:11 108:8 123:5 aware 15:13,16 20:20 30:4,11 37:19 53:21 65:3 68:16 72:24 73:20 74:4,9 75:15 75:19 82:16,20 85:21 86:16 87:22 93:15 103:21,22	84:16 96:6 basis 26:9 58:2 bates 44:25 45:4 47:6 66:15 110:21 118:9 behalf 32:10 believe 6:25 8:21 9:8 15:20 17:8,10 20:15 21:21 23:5 27:3 30:20 31:14,21 34:4 34:14 35:4 36:9 40:11 47:24 50:5,22 51:2 67:10 69:2,2,17 73:6 74:6 75:10 88:11 97:19 100:11 101:11 101:24 102:12 106:7 107:6 112:5 114:23 belong 11:14 beyond 116:4 bigger 15:4 90:10 binder 6:18 biochemistry 5:20 birth 5:14 bit 59:22 81:4 85:10 99:17	blade 1:4 24:15 48:5 blood 125:17 board 8:20,24 9:15,21 11:7 11:10 16:8,18 17:17 18:3,10 18:25 19:10,14 19:20 20:7 22:16,22 23:7 23:10,16,20 24:9 25:6,7 27:13 28:25 30:19 31:3,9 32:13 34:11,13 34:24 36:18 37:13 38:3 41:6,16 46:8 46:15 47:3,23 48:24 49:3,3,5 49:20 55:17 59:7,12,15,16 60:25 61:19,22 61:24 62:9,11 63:2,4 64:8 65:3,7 67:2,12 67:18 75:13,16 75:20 76:3,6 78:16 81:17,25 82:4,15 85:21 87:25 88:4 89:17,22 90:9 92:5,6,22 94:6 97:21,22,23,24 98:8,11 99:11	100:17,22 101:16 103:10 105:9,10 107:11 108:11 108:15,25 109:6,9,16 110:14,17 111:17,18 114:14,18,24 115:2,25 116:12,20,25 117:4 118:7,13 120:22 121:2 121:14 board's 86:4 book 26:24,24 83:13 booking 26:20 48:6 born 103:3 bottom 45:2,3 66:16 94:19 boundaries 87:18 break 5:7,9 49:9 65:22 breaker 117:8 brief 64:11 briefly 42:3 60:10 broad 40:2 99:17 116:18 broadly 40:9 101:3
b			
b 1:3 93:23 123:2 124:3 bachelor's 5:18 back 24:4,5 29:13 30:17 48:11,15 66:3 71:23 72:3 73:16 84:22 85:9 102:24 background 5:17 bad 10:12 barr 84:23 base 8:2 57:20 based 14:17 46:10 54:23 56:8 57:13 81:16 83:23			

[bruel - clients]

Page 6

bruel 106:5 building 42:23 43:5,23 bullet 63:16 business 19:6 28:9 49:23 51:4,11 82:25 83:3 businesses 57:19	carrier 27:3 81:3 84:2 cars 90:23 case 1:6 28:2 40:21 77:25 95:4 96:25 113:12 118:21 120:9 castle 98:7,12 caution 68:11 108:14 112:9 caveat 81:9 certain 80:24 80:24 83:12,13 89:8 96:4 98:4 101:12 116:23 certainly 85:17 certification 3:7 certify 125:10 125:15 cetera 75:3,4,4 76:18 chair 16:11,14 16:16,18,19,21 16:24 20:7 22:9 23:14 24:3 27:13 41:5 55:21 98:21 chairman 19:4 55:16 chairperson 16:10	challenges 55:10 change 46:9 59:19 91:19 95:7 99:9 126:4,7,10,13 126:16,19 changed 46:5 changes 122:7 changing 99:12 chapter 44:20 characterizati... 90:4 characterize 92:10 99:21 114:24 115:18 characterizes 98:17 charges 113:19 charter 1:3,7 1:15 12:4 21:25 25:15,18 26:4,18 29:24 50:2 51:6 61:15 65:5 80:18 83:21 84:4 91:25 118:11,15 122:1 126:1 charterer 39:25 chartering 27:8 83:23 charters 26:2 37:4 117:21	check 17:10 50:5 63:14 checkpoint 65:16 chemistry 5:19 chime 33:2 christina 2:7 4:18 circuit 117:7 cited 88:14 cities 83:13 city 80:24 civic 11:14,19 clarification 65:13 79:15 clarify 56:5 65:15,18 91:9 110:10 113:11 117:18 clarifying 39:9 classified 57:15 classify 76:12 76:23 109:9 clause 94:20 clear 76:13,19 99:5 client 55:17 68:13 108:17 clients 24:17 27:18,20,24 28:10,13 29:7 29:17 30:2,12 33:8,20 38:4 39:23 53:15 75:21 76:7
c			
c 2:2 4:2 49:23 97:11 125:3,3 california 2:10 call 121:10 called 4:2 9:11 20:15,22 29:17 32:4 calls 26:18 cambridge 5:21 8:18 capable 109:13 capacity 1:8 20:6 25:5 89:8 116:23,25 capital 100:22 101:5,6 capped 117:4 careful 112:16 carey 2:16 66:2 70:10,17 71:5 71:10 72:7,12 110:9,16,21,25 121:21			

[clients - conversations]

Page 7

<p>96:19 115:16 clipperjet 48:6 closely 32:16 club 21:6 coalition 20:16 21:2,4 22:5,20 22:23 97:4,5,7 code 34:14 39:21 44:13,19 come 9:18 15:9 22:5 30:22 31:14,21 34:18 54:12 59:17 62:3 66:3 76:2 77:22 88:4 97:10 comes 70:24,25 coming 55:3 57:25 76:22 105:15 116:13 commencem... 53:16 comment 63:10 commentary 64:13 commented 85:15 commenting 30:20 81:18 112:22 comments 10:4 10:7 19:15 53:8 65:11 85:12 97:10</p>	<p>commercial 12:3 91:8,10 91:12 117:12 117:17,19 commercially 91:22 commission 11:7,10 commissioner 17:25 18:2 common 52:23 commonly 25:21 communication 33:12,16 34:7 68:13 community 56:22 companies 15:9 63:18 company 32:4 complaint 28:21 29:5,9 29:11 30:5 33:8 complaints 28:23,24 29:14 29:14,22 30:12 30:13,18,24 31:5 32:24 105:14 complete 122:9 completed 13:25</p>	<p>component 51:9 components 87:19 computer 104:25 concern 99:8 101:2 concerned 21:20 117:5 concerns 68:23 69:10,20,21,23 69:25 70:2,4 72:6,13 concluded 121:24 conclusion 67:25 75:2 conditions 83:22 conference 18:22 confidence 108:25 consensus 82:3 82:5 consider 26:3 40:15 81:2 considerably 90:13 considered 84:17 considering 9:25</p>	<p>consistently 88:15 constitute 114:19 consulted 36:18 37:18,23 59:13,18 consulting 37:12 contain 103:19 contained 72:15 contains 66:19 contemplating 99:12 content 59:16 context 64:23 continue 79:23 118:11 continued 123:23 contract 83:25 contracted 32:8 control 10:23 conversation 31:24 52:16 61:9,22,25 62:6 74:10 78:21,25 79:7 79:10,13 105:8 conversations 9:13 30:21 31:15,19 53:8 65:7 69:19</p>
--	---	--	---

[conversations - day]

Page 8

70:16 73:2,22 74:7,8 75:16 75:20 cooperate 105:14 copy 3:13,16 38:12 118:19 119:8,14 core 87:19 corner 55:9 corporate 12:3 29:24 91:16,25 117:22 correct 8:22 15:23 36:16 44:13 47:16 77:13 79:3,20 82:2 85:5 112:15 119:2 122:9 corrections 122:6 correspondeen... 6:19 73:21 75:6,9 118:20 counsel 3:5,17 109:17 124:10 counseled 108:16 county 1:7,8,15 1:16 2:13,15 2:17 7:24 8:9 8:25 9:14,24 9:25 10:6 11:7 11:17 12:20	13:9 15:7,25 17:24 19:20 25:12 27:10 32:9,10 34:11 34:16,17,21,22 35:5 39:21 42:16 44:12,17 44:19 45:5,12 47:17 48:12,15 58:19,23 59:4 59:5,13 64:17 67:21 68:5 70:19 71:12 72:14 73:21 74:5,8,13 88:10,11,14 93:3,8 94:5 95:4,11 97:6 100:22 102:17 102:21 103:11 103:24 105:21 108:2 109:2,7 109:10,12 113:4,6,7,9,19 114:4,7,7,8,11 118:10,15 119:4 120:12 120:14,15,22 121:3 122:1 123:15 125:6 126:1 county's 10:22 34:14 41:13 69:20	couple 20:11 course 121:2 court 1:2,17 3:13 102:17,18 112:5 118:12 cover 46:11 covered 71:12 covid 18:22 cow 45:4 cow00001159 93:25 123:17 cow00001160 97:14 123:18 cow00001161 100:5 123:19 cow00001162 101:21 123:20 cow00001164 104:11 123:21 cow00001165 106:10 123:22 create 94:20 99:4 creates 55:10 creating 86:10 crowded 55:7 55:11 curfew 96:3,10 102:13,21,22 103:14,25 current 14:16 16:3,7 40:25 41:9 70:5 103:3	currently 13:9 14:16 16:9 17:18 39:21 40:20 54:23 91:2 96:5 99:11 customer 11:4 customers 58:9 72:20 103:20 115:17 cv 1:6 d d 1:3 3:2 99:25 124:13 daily 54:2 data 29:20 105:2,10,13 database 103:9 date 1:11 5:14 35:15 36:10,22 41:22 44:7 46:22 49:14 51:23 60:2 62:20 66:12 78:7 93:6 94:3 97:16 100:7 101:23 104:13 106:12 111:11 118:4 122:13 126:24 dated 35:24 60:8 118:25 david 67:3 day 10:22,23 18:13,16 31:20
--	--	---	--

[day - document]

Page 9

32:9,9 122:17 125:21 days 3:16 83:12 decades 99:3 decide 5:4 deciding 72:25 decisions 99:7 declare 122:4 deemed 122:7 defendant 1:14 defendants 1:9 2:13 define 14:9 87:22 defined 34:13 45:14 84:11 defines 84:20 98:25 116:23 defining 72:18 definitely 13:14 22:3 41:12 50:11 definition 39:22 40:2,5,6 40:20,25,25 41:2 45:23 72:16 88:5,15 definitions 46:5 88:12 definitive 88:17 degree 5:18 71:11 72:7 deliver 27:8 delta 91:11	delux 1:3 122:1 126:1 demand 14:15 14:19,23 26:9 demolish 14:10 14:22 demolishing 14:3 departing 58:7 department 67:21 74:5,11 74:14 108:16 113:10 depends 40:18 89:14,24 116:19 deponent 122:3 deposition 1:14 3:8,9,14 6:6,7,8 describe 11:19 11:20 12:25 25:10,22 26:15 57:12 61:2 83:6 102:6 described 34:8 37:2 56:13 69:5 84:17 87:17 description 58:12 123:4 124:6 descriptions 26:3 designated 34:23 56:7	designation 56:10 designations 56:19 designed 55:7 89:13 destroying 15:3 detailed 74:10 determines 118:13 dictates 101:5 difference 84:5 113:8 different 14:24 27:16 45:23 56:5 65:17 80:18 differently 87:23 direct 5:5 27:3 49:22 52:9 61:11 63:7 73:25 78:10 84:2 98:4 108:18 directing 78:20 directly 35:7 48:20 51:7 59:18 92:17 114:3 director 31:17 directs 98:6 disclosure 15:25	discuss 21:24 22:15 77:9,15 discussed 22:6 38:4 70:20 71:14 87:25 88:9 114:14 120:6 discussing 32:25 79:4 discussion 13:9 19:17 48:18 49:25 51:4,4 51:11,12,13,15 51:18 52:20,24 52:25 53:5 63:25 64:7,11 71:22 94:13 discussions 38:8 71:5 116:21 disruptive 55:4 56:10,21 64:5 115:17 district 1:2,2 divert 64:6 docket 112:18 113:3,5,22 document 35:13,18 36:3 36:7,23 37:2 37:23 38:13,17 38:21 41:14,25 44:11 45:6 46:25 47:4 49:17,19 52:2
--	---	---	---

[document - exhibit]

Page 10

60:17 62:23,24 63:3 66:9,15 66:19 71:3 74:23 84:22 93:4,8,10,15,18 93:20 123:5,16 documented 83:24 documents 6:13,16 74:13 74:22 93:16 110:15 113:20 124:18,19 doing 9:12 31:2 66:24,24 77:23 79:24 80:4 109:7 dorf 1:18 2:4 downstream 71:15 drafting 46:9 drinks 5:11 due 91:7 duly 4:3 125:12	earliest 38:11 early 33:14 36:8 easier 47:10 55:24 educational 5:16 effect 3:12,15 12:13 40:19 64:14 65:11 80:15 effectively 22:11,23 25:25 26:4 55:2,5 66:23 effectiveness 98:19 effort 13:2 either 19:13 22:4 25:17 57:3 58:16 59:13 64:15 68:24 72:24 elect 16:19 elected 16:17 elements 10:24 12:2 13:7 82:23 email 59:24 60:6,17 61:12 66:10 67:7,8 67:17 69:15 74:16,23,25 75:7,12,17,18 111:3,9,14,24	112:3,25 121:8 121:10 123:11 123:13 124:7 employed 5:22 5:24 employee 34:22 encompass 39:23 enforce 41:13 enforced 48:4 enforcing 72:14,22 engine 7:9,10 7:19 ensure 103:19 entering 59:14 entirely 107:7 entirety 107:3 109:10 entities 27:2 entity 26:22 34:14 environmental 20:24 32:22 errata 122:8 esq 2:6,7,15,16 essence 27:5 essentially 11:25 26:18 27:18 28:3 57:20 95:14 98:3 102:21 103:5 established 99:2	esters 111:19 111:21 et 75:3,3,4 76:18 122:1,1 126:1,1 evening 18:17 18:18 events 12:17 evidence 106:3 exact 93:17 exactly 7:2,4 18:5 32:2 38:15 76:14 119:9 examination 4:6 121:23 124:14 125:11 125:13 examined 4:5 excludes 94:21 exclusive 42:18 45:16 execute 84:3 executive 8:25 9:14 31:16 35:5 91:17 93:9 exhibit 35:11 35:14 41:21 44:2,6 46:21 47:11 49:13 51:22 53:14 59:22,23,25 62:19 66:11 78:6 93:5 94:2
e			
e 2:2,2 3:2,2 101:18 123:2 124:3,13 125:3 125:3 126:3,3 126:3 earlier 13:5 33:18 49:5 72:9 77:7,21 86:2 97:5 115:14 116:18			

[exhibit - flights]

Page 11

97:15 100:6 101:22 104:12 106:11 111:10 118:3 123:4,4 123:5,6,7,8,9 123:10,11,12 123:13,14,15 123:17,18,19 123:20,21,22 124:6,6,7,8 exhibits 123:3 124:4,10 existed 53:21 82:21 existing 98:6 exists 103:22 expansion 20:17 21:5 87:11,18 88:2 88:5 97:6,8 114:20 expenditure 101:5 expire 95:10 expired 95:11 explain 9:5 14:5 63:24 103:2 explained 9:20 69:24 95:25 explaining 79:2 expressed 27:6 101:3 extended 53:7	extending 87:20 extent 53:19 108:14 f f 3:2 104:9 125:3 faa 7:11 26:2 26:17 40:15 41:11 80:25 82:23 84:9,11 84:20 94:21 facebook 53:25 facilities 15:3 56:16 59:4 92:12,15 facility 14:15 14:22 fact 14:18 37:19 48:21 53:10 77:4 94:13 115:15 119:16 factual 120:8 fair 39:13 58:12 82:14 faith 109:10 fall 20:19 familiar 8:4 20:7,21 24:14 27:14,17,23 28:9 32:3 48:17 57:8 60:20 67:4 68:3,4,8 69:13	83:3 86:6,9 87:10 94:8 101:19 104:14 110:6 family 57:4 fancy 57:16 favor 89:17 102:19 favorable 10:25 fbo 8:2,5 54:25 55:5,6,25 56:12 57:8,12 57:14 58:10,14 fbo's 56:6,7,9 56:18 58:15,18 59:8 103:15,21 118:12 february 1:11 63:5 125:21 federal 94:25 95:9,15,17,20 102:17 113:12 fee 12:11 feedback 34:20 fees 94:14,17 fell 10:5 felt 70:5 fewer 92:20 116:13 figured 113:15 file 15:24 filed 16:4 118:21	filing 3:7 filings 28:2,4 112:6 financial 15:24 find 47:9 56:10 71:9 98:14 110:19 fine 7:5 65:25 108:24 finish 60:13 firm 108:12,22 110:6 first 4:3 24:23 36:2,6,12 38:12 60:16 62:8 63:16 64:20 66:18 67:19 76:25 79:6 fit 58:17 76:24 five 65:22 fixed 8:2 57:13 fleisher 23:3 31:4,8 flight 26:5,7 29:6 64:3,3,5 83:17,19 84:4 flights 25:16 28:21 29:17 30:6 55:3 64:12 80:17 83:12,14 88:20 89:3,17 92:7 92:11,14,17,20 116:13,13,20
---	--	--	---

[flights - grant]

Page 12

117:3 flown 61:6 fly 7:8,10 56:24 91:12,16 98:4 98:7 flying 96:6 102:7,15 follow 83:2 95:5 followed 88:16 following 123:23 follows 4:5 food 5:11 force 3:14 foregoing 122:5 form 3:20 10:15 13:19 14:16 15:11,25 16:5 37:14 38:22 39:6,15 41:7 43:6 45:25 54:19 55:18 56:2 58:16 74:20 75:23 76:9 77:11,18 79:25 82:18 84:7 85:7 88:6,22 89:5,19 90:18 95:22 96:21 99:14 100:24 103:16 104:3 107:17 108:4	109:3 115:9 116:15 117:13 formally 13:13 23:22 forth 125:12 forward 120:7 forwarding 67:7 four 8:15 25:3 28:18 56:25 free 12:17 65:18 fremd 1:19 2:5 frequently 27:4 front 44:15 52:4 60:5 frustrated 109:6 fueling 57:17 full 6:18 funding 94:20 95:9 further 125:15 future 87:4	51:15 64:12 65:9 81:6 82:25 83:18 85:14,24 86:12 87:4 90:3 91:8 91:14 117:11 generally 10:10 13:5,15 18:12 19:3 21:18 54:13 56:19 90:8 92:14 95:24 97:9 116:21 generate 94:17 generated 105:3 genesis 9:6 105:6 getting 53:24 72:8 119:13 give 44:2 60:12 given 39:10 68:6,9 90:7 113:19 119:7 122:10 125:14 giving 71:12 global 1:4 24:15 go 17:9 24:4 41:18 47:8 48:10,14 57:2 60:14 65:14 71:23 83:17 90:7 91:11 93:23 94:19	97:11 101:18 104:8 117:25 goes 18:3 24:5 going 4:18 8:7 24:4 25:11 35:11,17 41:18 41:24 42:2,7 44:2,3,8,9,23 45:7 46:24 47:5,7 49:7,16 49:22 51:11,19 51:25 52:9,11 59:21 60:4 62:22,23 63:7 65:22 66:8 68:11 76:13 78:9,10 81:14 82:7 85:9 91:9 93:7 94:4 101:8 106:21 118:6 good 4:14,15 10:12 14:14 49:8,10 54:3 121:20,21 gotten 71:18 gould 31:17,17 31:18,18 government 11:12 34:12 94:25 95:17,20 grandfathered 41:11 grant 94:25 95:9,13
	g g 106:8 ga 14:4,5 56:6 56:11,14,20,21 92:2 115:15 117:20 gas 57:16 gasparri 1:8 111:19 general 11:2 14:6,8,11 19:9		

grants 94:21 greechan 63:10 grimes 2:7 4:18 119:23 ground 4:19 58:4 grounds 14:21 group 11:21 20:15 21:9 22:24 27:6 93:14 97:4 groups 20:8,12 20:18 21:4 22:10,13,17 guess 31:25 37:19 40:17 43:18 61:2 71:20 80:13 92:17 101:13 guidance 120:24 gutierrez 67:3 guys 121:18	58:12,13,15 hangars 57:23 58:16,16,17 happen 53:2 103:8 happened 16:20 27:22 121:9 happening 71:6 119:17 happy 97:24 hard 115:3 116:9 hartman 1:16 4:1,10,14 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1,12 35:14,18 36:1 37:1 38:1 39:1 40:1 41:1,19 41:21,25 42:1 43:1 44:1,3,5 45:1,24 46:1 46:19,21 47:1 47:11 48:1 49:1,11,13,16 49:17 50:1	51:1,20,22 52:1,2 53:1 54:1 55:1 56:1 57:1 58:1 59:1 59:23,25 60:1 60:4 61:1 62:1 62:17,19,23 63:1 64:1 65:1 66:1,9,11 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1,4,6 78:10,22 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 91:15 92:1 93:1,2,4,23,25 94:1,4 95:1 96:1 97:1,12 97:14 98:1 99:1,25 100:1 100:5 101:1,19 101:21 102:1 103:1 104:1,9 104:11 105:1 106:1,10,13 107:1 108:1 109:1 110:1 111:1,10 112:1 113:1 114:1 115:1 116:1 117:1,25 118:1	118:3 119:1 120:1 121:1 122:2,4,13 123:3 124:4 126:2,24 head 4:22 health 35:5 hear 24:23 heard 57:15 64:21,25 87:16 hearing 9:15 87:8 hearings 86:17 86:20,23 heavily 83:10 held 1:18 18:20 18:21 71:22 helpful 45:2 hereinbefore 125:12 hereto 122:8 hereunto 125:20 high 26:10 92:3 highway 63:12 hire 108:21 hiring 108:12 historically 91:21 history 96:7 hit 89:8 hold 100:22 hopefully 106:20
h			
h 4:2,2 111:7 123:2 124:3 126:3 half 8:15 hamilton 2:9 hand 125:21 handle 89:10 handling 109:13 hangar 13:7,12 14:13 15:2,4			

[host - job]

Page 14

host 12:17 hotly 88:8 hours 102:25 hpn 25:11 28:17 hugh 63:10 hum 35:23 47:19 66:17 hundred 101:12 hybrid 26:20	impacted 107:12,16 impacts 115:22 impartial 55:21 imply 75:6 impose 96:3,9 improve 92:15 improvements 92:12 inappropriate 101:7 incidents 64:15 64:16 include 96:19 included 75:7 102:16 103:25 includes 63:4 70:13 including 53:24 67:15 inconvenienc... 55:12 115:22 indicated 80:3 indicates 79:9 indirectly 92:13 individual 29:6 70:8 individually 48:7 72:19 individuals 26:4,23 27:6 96:2,24 97:2 informally 76:3	information 28:13 33:3 68:6,9,15 69:4 82:6,10,11 108:2,8 112:3 112:4,8,25 118:14,17,22 119:15 120:2 124:18,19 informed 86:4 infrastructure 9:10 14:4,11 35:6 injunction 102:20 input 34:18 inside 57:23 instance 29:16 intending 116:5 intent 94:11 95:25 interaction 25:8 interest 11:3 27:7,9 83:24 interested 9:12 125:18 interests 11:22 internally 70:21 71:14 interrupting 65:10 introduced 19:17	invite 77:8,15 invited 77:22 involved 23:2 46:8 72:9 irvine 2:10 issue 13:12 15:6,8 21:24 34:7 38:4 70:2 70:5 81:18,25 82:4 85:2 99:8 99:20 issues 20:9 21:19 33:5 65:4 68:23 item 18:24 19:3 19:11 49:23 53:3 61:13 62:4 items 19:8,17 61:3 113:22
i			j
idea 14:14 identification 35:15 41:22 44:6 46:22 49:14 51:23 60:2 62:20 66:12 78:7 93:5 94:2 97:15 100:6 101:22 104:12 106:11 111:11 118:4 identify 115:6 115:23 imagine 96:25 immediately 76:19 immune 64:15 impact 54:17 77:17 88:20,24 89:2 114:15 115:7,19 116:10			january 8:21 16:12,19 35:24 36:11,15 38:2 52:3 118:25 jet 29:23 jetblue 91:11 jetsmarter 48:5 62:8 63:19 64:21 jetsuitex 1:4 joanne 1:20 125:8,24 job 22:8

[join - line]

Page 15

join 12:6,9,11 jonathan 60:6 60:21 101:11 101:15 107:6 jsx 53:25 54:23 83:9 jsxair 1:3 24:14 judge 3:12 judgement 55:16 jump 45:4 46:19 47:6 49:8 51:19 62:16 78:3 92:25 111:7 june 78:14	32:2 37:3,16 40:22 41:14 46:4,7,15 48:21,23,25 49:2 50:20 51:15 53:17 55:9 60:23 61:4,24 62:5 66:20 67:11,14 71:8 74:12,15 76:25 80:6 81:13,15 82:21 84:23 87:20 93:14,19 98:16 100:17 101:10 102:24 103:24 107:4,8 108:23 109:24,25 110:19 114:10	land 58:23,24 landing 94:13 94:17 language 39:11 39:24 40:12,13 41:10 70:6,7 72:15 103:25 large 14:12 18:8 27:16 58:13 larger 58:16 las 64:4 law 1:18 19:21 41:20 42:2 67:21 74:5,10 74:13 108:12 108:16,22 123:6 laws 41:13 lawyer 113:16 leading 9:22 lease 58:19,23 59:2,14,14 leased 59:6 leases 58:25 59:8,17 103:15 103:19 104:2,6 leave 74:18 led 79:13 legal 26:22 27:2 40:23 70:13,18 71:13 80:17 84:10 96:7	legally 58:21 legislatures 9:16 18:4 lengthening 87:19 lengthy 39:18 53:4 letter 35:21 letters 88:13 level 26:10 92:3 levels 105:15 levy 23:5 liaison 34:23 license 6:22 7:7 7:10 lie 11:3 light 14:4,11 56:6,11,14,20 56:21 87:4 91:8,14 92:2 115:14 117:10 117:20 likely 49:6 limit 96:2,3 112:16 116:2 limitations 80:23 89:12 limited 81:10 95:12 limiting 96:19 limits 89:8 117:3 line 126:4,7,10 126:13,16,19
k			
k 62:16 kaplan 110:7 keep 7:21 53:24 kind 7:15 13:23 29:10 30:23 58:8 77:4 90:11 116:17 kingdom 8:16 8:17 kirsch 109:25 110:2,7 kjaer 106:5 knew 82:24 know 5:8 7:2 11:10 13:13 15:9 20:8 21:7 23:20 25:7 26:10 28:16	knowledge 21:3 23:23 27:19 32:6 37:7 41:17 46:17 53:14,20 59:18 61:21 62:7,10,14 75:12 105:20 107:14 108:6 108:10 109:18 110:5 117:22 119:6 121:16		
	l		
	l 3:2,2 4:2 93:2 lack 65:15		

[list - mean]

Page 16

list 63:18 95:2 listed 36:10 50:12 litigation 53:16 109:14 119:17 little 45:3 59:22 81:3 85:10 live 8:11 57:21 98:12 lived 8:8,16 living 8:14 llc 1:3,4,9 llp 1:19 2:4,9 lobby 55:2 lobbying 13:2 local 11:9,22 41:20 42:2 57:4 61:2 123:6 location 83:17 long 8:8 28:16 46:12 58:25 90:4 95:2 98:24 116:24 119:10 look 10:24 42:3 43:18 44:24 45:7 46:24 47:13 49:18 52:13 60:9 66:14 78:13 94:8 100:2 101:19 104:14 118:8	looked 99:18 looking 26:5 50:23 63:21 94:20 looks 15:15 83:11 loosely 23:9 losing 109:10 lost 108:25 lot 10:22 12:17 19:11 37:17 89:25 90:10 91:19 104:21 116:3 lots 26:7 64:23 84:9 87:7 lounge 58:6	makes 65:11 67:24 69:9 making 87:20 management 73:2,4 85:24 105:23 manager 1:8 32:17,20 34:5 68:25 69:3 73:7,23 79:16 81:23 111:20 manhattan 6:4 manor 4:13 march 5:15 73:9 marino 2:15 10:13,17 13:19 15:11 37:14 38:22 39:6,15 41:7 43:6 45:25 54:19 55:18 56:2 65:25 68:10,21 74:20 75:23 76:9 77:11,18 79:25 82:18 84:7 85:7 88:6 88:22 89:5,19 90:18 95:22 96:21 99:14 100:24 103:16 104:3 107:17 108:4,13 109:3 112:9,15 114:21 115:9	116:15 117:13 121:20 mark 35:12 44:3 marked 35:14 41:21,25 44:5 46:21 49:13,17 51:22 52:2 59:25 62:19,23 66:11 78:6 93:4,25 97:14 100:5 101:21 104:11 106:10 111:10 118:3 marking 35:18 marriage 125:17 martine 2:14 master 86:10 87:3 100:23 101:4 material 70:22 113:3,4 matter 21:17 28:5 34:19 41:4 63:14 77:21 116:11 125:19 matters 34:16 55:23 120:24 mean 11:16 22:11 38:24 51:7 64:22 68:18 71:10 76:16 77:20
	m m 4:2 41:18 made 10:3,8 30:17 31:5 37:18 41:2 59:20 65:3 74:4 82:8 84:25 85:4 87:7 88:16,18 105:14 122:6 magnetometers 55:8 major 20:20 majority 114:25 make 15:3 21:4 47:10 70:10 95:14 99:7		

[mean - n]

Page 17

87:13 88:25 89:2,7 90:23 114:7 117:19 120:5,21 meaning 73:8 90:23 91:22,23 113:6 means 45:6 measurable 116:9 meet 6:5 18:11 22:9,12,16 23:16 24:11,13 107:11,15,23 120:21 121:7 121:12 meeting 6:19 18:25 19:16,19 21:14 22:7,14 22:21 23:11,23 32:21 47:12 49:21 50:4,4,6 50:8,9,11,14,15 50:23,24 51:8 51:17 52:7,11 53:4 61:25 62:11 63:2 77:9 78:15 81:17 85:15,19 106:18 118:7 119:25 meetings 9:22 9:24 10:3 18:19,23,23 19:21,23 20:3	22:19 24:6 32:19 47:3 76:3 103:10 120:16,20 member 11:16 13:16 16:9,23 18:3 19:2,12 19:14,18 20:25 23:4 24:5 25:6 48:24 60:24 61:18 65:2 70:19 120:15 members 13:14 16:18 17:5 19:7,8 21:20 22:4,12,22,25 28:25 30:19,21 31:3,12 32:25 70:21 71:7,13 76:4 77:4 81:17 92:22,22 98:8,11 105:9 109:5 111:17 111:18 114:23 115:25 116:25 117:5 membership 12:14 24:3 memory 8:22 mentioned 13:4 20:14 21:2 54:9 57:10 62:9 67:16 74:6 85:10 87:6 97:4	mentioning 33:18 mentions 19:18 met 21:10 110:4 meyer 35:3 66:24 111:19 miami 91:12 microphones 105:11 mid 36:9,9 midtown 6:3 midway 118:10 million 13:8,12 14:25 77:21 mind 26:15 minority 104:20 minute 65:22 minutes 6:19 47:5 50:24 52:7,10,12,12 53:9 63:4,8,9 78:11,14 81:16 81:24 110:20 118:2,7 119:25 124:8 mix 11:25 mobility 1:4 24:15 model 28:9 65:17 82:25 83:4 84:16 moment 60:12 93:21	money 94:24 monies 95:15 month 18:12,15 56:25 monthly 103:10 months 8:13 21:15 32:2 119:4 morning 4:14 4:15 motivations 96:24 multiple 19:16 58:17 municipalities 18:6
			n
			n 2:2 3:2 4:1,2 4:2 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1,19 42:1 43:1 44:1,2 45:1 46:1 47:1 48:1 49:1 50:1

[n - object]

Page 18

51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 124:13 name 4:8,16 20:11,17 50:12 named 29:18 48:4 60:21 names 31:11 nancy 84:23	nature 26:25 33:15 43:16 76:14 79:17 82:25 85:16 nearby 94:15 necessarily 14:25 82:21 necessary 122:7 need 5:9,10 7:2 7:4 87:3 needed 14:18 needs 4:23 negative 115:7 115:19,21 116:10 nelson 1:19 2:4 nervous 113:18 network 104:24 never 15:18 22:13 36:14 59:17 88:16 119:7 new 1:2,7,15,20 1:22 2:5,14 4:4 4:13 15:2 19:6 19:16 37:8,11 37:17 49:23 51:4,11 86:10 98:7,12 125:5 125:9 nicholas 1:16 4:10 122:2,4 122:13 126:2	126:24 nick 78:21 91:15 nine 48:8 70:9 72:19 nod 4:22 noise 29:8,13 30:7,8,9 32:24 97:21 98:3,6 98:14,21 99:4 99:12,16,21,22 104:25 105:3 105:15 nominated 9:14 17:9,11 17:12 non 84:6,18,21 86:7 113:16 nope 63:13 normal 37:10 normally 57:21 77:14 95:17 notary 1:21 4:4 122:14,21 125:8 noted 122:7 notes 6:13,16 47:13 notice 20:3 noto 2:6 4:7,16 10:15 65:21 66:4 68:18 70:15,23 71:8 71:17,23 72:5 72:10 110:12	110:18,23 111:4 112:11 119:20 121:17 124:15 november 49:21 50:21 52:7,10 60:8 nuance 80:21 89:25 nuanced 26:2 nuances 82:22 number 9:23 10:3,23 18:4 20:18 31:19 32:18 37:2 38:9 41:20 42:2 53:7,7 57:14 58:8 61:12 65:6 80:25 111:7 118:16 123:6 numbers 91:19 116:24 117:15 117:23 123:4 124:6 o o 3:2 4:2 35:11 oath 3:11 66:8 object 5:4 13:19 15:11 38:22 39:6,15 41:7 43:6 45:25 54:19 55:18 56:2 74:20 75:23
--	---	---	---

[object - organizations]

Page 19

76:9 77:11,18 79:25 82:18 84:7 85:7 88:6 88:22 89:5,19 90:18 95:22 96:21 99:14 100:24 103:16 104:3 107:17 108:4 109:3 114:21 115:9 116:15 117:13 objection 10:13 10:15 37:14 68:10 objections 3:20 observations 28:18 observed 85:25 obtain 6:24 obtained 114:4 obviously 5:10 23:13 57:8 110:14,17 occupied 17:19 occur 84:15 occurrence 52:23 october 47:12 50:17,24 offer 26:22 57:17,19,24 58:3 office 2:13 6:3 32:23 109:2,11 109:13 111:21	113:7 114:8,12 120:16,22 offices 1:18 official 1:8 32:15 officials 17:24 oh 26:11 29:8 50:16 75:5 94:23 okay 5:12 6:12 24:21 26:14 30:16 31:3 33:11 36:2,25 39:19 42:3,7 43:25 47:25 50:3,8 57:7 59:21 60:15,16 61:21 62:22 65:23 66:18 67:19 69:7 74:12 75:19 76:5 77:14 78:3 90:6 91:9 94:7 97:20 99:24 100:20 101:18 104:20 106:24 107:25 111:16 114:6 115:6 116:11 117:6 119:13 119:20 121:6 121:11 once 16:19 18:12 57:15	ones 13:3 20:20 25:20 27:17 online 91:11 open 18:8 19:21 operate 23:7,17 25:11 55:25 58:21 80:9 81:10 103:6,23 118:12 operates 115:16 operating 25:17 28:17 32:17 80:7 81:8 82:12,23 82:24 83:20 operation 25:19 27:8 39:12 40:17 55:13 81:3,6,8 81:11,12 83:20 84:12 operational 37:3 118:16 operations 22:2 25:14,19 27:16 27:22 28:14 29:23 30:12,25 32:9 33:9,19 38:5 40:7,11 40:14,14,16 53:15 54:16 56:11 64:9 65:5,8 70:7	72:18 75:22 76:7,14 77:10 77:16 79:14,18 80:19,23 82:16 91:5,20,24,25 96:4,20 103:8 105:3,4 114:15 114:19 115:8 116:7 operator 8:3 25:23,24 26:6 26:16 27:5 39:25 57:14 77:15 79:3 80:7 operators 12:4 12:5 27:11 29:24,24 39:10 48:4 54:7 58:24,24 59:6 61:15 64:19,24 65:9 85:13,17 85:22 103:5 107:16 117:22 118:11 opinion 39:2,5 74:5 108:25 opinions 55:22 84:10 order 1:18 23:8 64:6 organization 11:19 20:22 organizations 11:15
---	---	---	---

[origin - person]

Page 20

origin 105:19 original 3:9,16 39:11 40:12 originated 40:8 outcome 125:18 outside 57:22 108:12,22 109:17 120:19 overall 21:19 29:14,20 79:12 105:12,15 116:6,8 117:9 overnight 102:14 own 7:13 12:8 28:18 34:20 55:22 91:15 99:7 owners 11:24 owns 58:23 59:5	118:8 123:4,23 124:6,14,19 126:4,7,10,13 126:16,19 pages 47:9 pairs 80:24 paper 93:13 paragraph 42:12 43:2,10 43:19 45:8 67:20 park 2:10 54:24 58:2 parked 7:23 parking 57:24 89:10 part 7:11 22:8 25:15,17,18,23 25:24 26:11,15 26:17 27:5,11 27:11,17 39:12 40:16 56:12,13 76:17,18 79:2 80:5,7,18,20,22 81:9,14 83:20 84:2,12,12 91:23 103:9 105:12 110:14 117:18,19 participated 86:13 particular 12:21 29:6 31:5 79:14 85:15 98:25	particularly 53:4 parties 3:6 102:18,19 125:16 party 106:2 pass 48:15 passed 48:10 passenger 42:14,17,20,22 45:11,13,17,19 45:19 64:5 passengers 48:8 58:6 past 12:23 23:24 27:22 77:20 85:18 88:10 90:22 91:4 patterns 21:21 99:2 paul 2:6 4:16 pay 91:11 113:23 pelham 4:12 5:13 11:10 pelhamdale 4:12 penalties 102:16 pending 100:23 penn 5:19 pennsylvania 8:14 57:3	people 17:16 32:18 53:7 54:4,8,10 58:11 64:17 87:22 90:6 91:15 92:6,19 99:5 pepa 20:22 21:11,14,20 22:4 31:15,17 pepper 2:9 percent 101:12 117:17,21 percentage 117:10,11 perform 114:21 perimeter 87:21 period 95:16 103:6,23 periodically 76:2 periods 90:15 102:14 permanent 96:9 permanently 57:20 permission 23:13 permit 7:8 permitted 79:18 80:4,8 person 73:25 121:7
p			
p 2:2,2 3:2 p.m. 103:4 121:22 pacer 113:12 113:13 114:11 pack 47:2 49:20 package 110:15 packs 63:2 page 44:25 47:13 63:8,9 63:13 78:11,20			

[personal - prior]

Page 21

personal 14:21 54:17	98:24 101:7 102:13,20 112:6	89:7,11 94:22 95:10 120:7	predated 15:21
personally 15:18 27:23 85:25	placed 18:24 41:15 61:13 67:12 71:19 75:12	pointed 116:5 points 19:16 38:10	prefer 116:12
pertains 55:17 65:4	places 57:19 58:2 90:8	police 64:17 policies 12:21 37:17,18	prepared 93:16 93:19
peter 17:2 23:2 34:5 67:8,9,14 67:20 68:19 69:9,14,19 70:14,16,17,24 71:4 72:21 73:11,14,22 74:4,12 78:22 79:16,19 81:19 81:21 109:25	plaintiff 1:17 plaintiffs 1:5 2:4,9 4:17 24:19 54:17 77:9 82:11,17 114:16,19 115:7	policy 24:11 36:18 37:2,3,8 37:11 39:14 41:5,6 97:21 116:12 118:16 118:20,23,24 119:8,11,14,18 119:18	present 2:11 78:18 111:20
peter's 69:23 69:25 70:4 72:6	plan 86:10 87:3 94:21 100:23 101:4,7	portion 16:8 position 13:11 13:17,22 14:17 14:20,21 17:20	presentation 50:9
ph.d. 5:20	plane 12:8 56:24 91:16	positions 18:9 possibly 38:18	presently 35:3
phoenix 2:15	planning 18:2	potential 39:10 99:19	pretty 22:13 108:20
phone 121:10	plaza 2:10	potentially 99:10	prevent 20:16 95:18,21 97:5 97:7
physical 87:17 87:21 89:8,12	pleasantville 98:8,12	pounds 7:11 14:9	prevented 102:14
physically 53:22 121:11	please 4:8 35:12 39:5 42:12 45:9 100:2	power 58:4	prevention 21:5
pilot 7:10 61:4 115:15	plus 58:25	practical 116:8	prevents 102:20
pilot's 6:21	pmh 1:6	practice 48:12	previous 6:19 50:16 90:15
pilots 12:5,5 57:5	point 23:24 31:22 51:16	precedent 77:23	previously 20:14 60:24 64:25 73:12 85:11 102:12
place 19:6,7 31:24 38:8 48:18 65:20		precise 80:23	prices 83:13
			primarily 87:2 97:3
			primary 56:15 57:18
			prior 6:6,13 8:13 9:22 16:20 36:20 37:19 38:2

[prior - raise]

Page 22

46:12 48:18 52:18 53:15 54:9 59:13,19 61:23 private 7:9 12:5 privatization 10:2,8 13:4,6 15:6,15 privilege 71:16 108:17 privileged 68:13,20 70:22 70:25 72:6 112:14 120:25 pro 119:7 probably 10:5 23:24 24:25 39:3,17 54:13 64:23 117:20 problem 64:9 problems 106:4 procedure 98:6 99:9,20,22 procedures 43:3 47:18 75:3,21 85:21 98:3 process 86:10 86:14 produce 110:23 produced 45:6 105:11 110:22 program 97:25 98:15,21 99:13	99:16 103:21 progress 120:8 project 53:6 projects 101:6 promulgate 37:11 propeller 7:18 7:19 properly 105:18 property 58:20 59:3 proposal 10:2 10:12,24 13:8 14:10,22 15:14 111:2 proposals 15:8 15:14 propose 19:3 19:11 proposed 49:6 83:10 101:10 107:4 proposing 14:2 14:3 protection 20:24 provide 32:19 34:20 48:11 58:9 provided 44:21 45:20,21 120:3 120:12 provides 32:21 32:23	providing 42:17,19,22 45:13,16,19 provisions 103:19 public 1:3,21 4:4 19:9,12,15 19:18,23 22:12 25:18 26:18 30:22 31:12 37:4 53:8 81:6 83:18,21 86:16 86:20,23 92:23 112:5 113:21 118:15 120:10 122:1,21 125:8 126:1 publicly 20:4 112:18 published 84:14 119:11 119:19 purchase 20:23 purchased 83:25 purpose 56:16 purposes 57:15 pursuant 1:17 push 76:6 put 19:9,14 49:6 67:18 88:12 93:22 102:13,19 112:3,25	q quest 82:9 question 4:20 4:25 5:3 26:12 29:4 31:13 36:2 37:20 39:18 40:3,4 40:23 43:17 44:10,15,17 46:18 52:15 60:11,16 66:18 69:6,8,12 70:12 71:18,25 72:3,9 79:6 89:25 92:18 98:18 100:20 108:21,22 112:19,24 116:19 119:24 questioning 29:2 30:25 questions 4:19 31:7 33:17,19 54:4 77:5 79:5 quite 21:7 116:7 quote 80:12,16 quoting 80:11
			r
			r 2:2 3:2 4:2 46:19 47:11 125:3 126:3,3 radar 10:5 raise 94:16

[raised - relationships]

Page 23

raised 31:12 38:10 68:23 raising 31:6 ramp 42:15,18 42:24 43:5,23 45:12,15 57:23 ran 53:11 range 30:24 58:3 102:18 reach 33:4 82:10 89:11 reached 28:12 33:7 68:5 74:4 reaches 121:3 react 38:21,24 read 26:14 42:11 43:8,12 45:8 52:12 61:16 72:3 77:2 122:5 reading 42:25 60:13 74:16 96:15 ready 60:10 100:3 really 4:23 55:7 69:6 81:14 realm 9:10 rear 47:9 reason 126:6,9 126:12,15,18 126:21 reasonable 77:6	reasons 56:12 recall 15:6 17:9 18:5 21:16 22:3,6,19 24:6 29:12,15 30:10 30:14,23 31:10 31:11 38:11,18 50:13 51:3,10 51:12,14 54:14 64:2,10,13,22 67:17 75:14 80:14 85:14,18 87:2 93:17 94:12 96:13 100:13,19 102:3 104:17 105:22 106:25 107:10 114:13 118:18 119:9 120:2 receive 118:17 received 28:20 29:5 38:16,20 53:23 70:14,18 74:13 118:19 118:22 119:14 receives 103:12 recent 12:25 13:3 16:4 33:12 recently 13:7 recess 66:5 recipients 111:16	recognize 46:25 49:19 recollection 21:23 91:18 92:4 117:16 recommend 108:11 109:17 recommenda... 82:8 record 4:9 52:16,25 57:11 66:7 71:20,21 71:24 113:21 120:10 125:13 records 17:10 reduction 91:7 reelected 16:23 17:3 reelection 17:7 refer 42:8 115:13 reference 24:19 67:24 69:9,15 80:5 84:25 referenced 77:21 86:2 102:9 references 88:18 104:5 referred 44:20 68:24 72:2 88:10 referring 62:2 81:4	reflected 53:9 regard 6:8 regarding 50:10 63:12 70:8 79:17 105:10 120:8 regards 6:7 regular 18:13 regularly 106:2 regulations 21:25 44:5,16 50:2 51:5 61:14 62:3 123:7 regulatory 76:15 82:22 rehabilitation 50:10 related 12:21 21:21 30:14,25 31:19,20 34:16 39:24 40:3 51:9 61:3 64:11 90:2 109:14 119:17 125:16 relates 66:25 68:12 relation 79:12 105:24 relationship 32:12,15 34:10 103:13 relationships 27:2
---	---	--	---

[relative - runway]

Page 24

relative 9:9 37:17 72:14 90:11 116:7 released 119:12 rely 95:15 remaining 117:21 remember 21:8 31:18,23 38:7 38:15 51:8,17 53:3 87:6,8 104:23 106:15 106:18 111:23 remove 10:21 64:17 renewed 59:3 renewing 59:14 repaving 51:9 53:6 rephrase 5:2 29:4 replace 14:12 14:23 report 32:21,23 reported 103:9 reporter 4:23 35:16 41:23 44:7 46:23 49:15 51:24 60:3 62:21 66:13 72:4 78:8 93:6 94:3 97:16 100:7 101:23 104:13 106:12 111:12	118:5 reporting 29:13 reports 32:19 103:12 represent 4:17 representative 32:22 representatives 21:11 23:17,21 24:7 representing 22:24 request 15:7 103:22 119:9 requested 61:13 103:5 124:18 requesting 118:14 required 16:4 122:14 requirement 12:15 requirements 95:3 reread 71:24 reserved 3:20 resolution 47:8 47:14,21 48:2 48:9,19,22 52:21 88:10 93:24 94:5,6 94:11 96:12,14 97:13,17,18	100:2,4,10,18 101:20 102:10 104:10 105:7 106:9 107:5,13 107:16 108:3,9 109:22 110:11 123:17,18,19 123:20,21,22 resolutions 77:16 resolved 94:19 respect 70:12 respective 3:6 respond 33:21 33:23 68:17 responded 79:19 response 69:10 69:13,20 70:2 70:13,13,18 72:9 79:22 restaurants 57:5 restraint 96:6 102:7 103:14 restrict 76:6 restrictive 41:3 result 92:13 resume 65:24 retain 71:15 retained 124:10 retention 109:17	return 59:4 revenue 94:17 review 6:12 59:8 rfp 15:7,16,19 right 53:13 63:20 69:11 70:11 74:17 78:12 81:19 90:2 91:13,18 92:25 104:8 119:20,20 121:17 rob 23:3 robert's 23:8 rockland 125:6 rockwell 110:7 role 48:13,16 55:21 66:24 70:19 room 15:3 18:22 roughly 117:17 routinely 22:9 33:4 ruled 102:18 rules 4:19 23:8 26:7 44:4,16 44:20 72:22 123:7 run 15:9 32:9 runway 50:10 51:9 53:6 87:20 89:9
---	--	---	--

[rye - significant]

Page 25

rye 1:20 2:5	84:13,18,21	78:23 90:9	45:14,17,19,20
s	scherrer 34:5	95:6 117:7	services 5:25
s 2:2 3:2,2 4:2	73:11,14 79:16	seeing 24:25	48:6 57:17
51:19 123:2	79:19	seek 17:7 55:20	58:3,8
124:3 126:3	schlactus 17:2	seem 53:9	servicing 26:21
safe 28:8	23:2 31:4,9	116:25	58:5
safety 85:2,12	67:8,9 69:19	seemed 73:25	set 23:22 55:8
sanders 2:9	70:14 78:22	77:5	98:25 125:12
satisfied 98:20	81:20,22	seen 25:2,21	125:21
116:25	se 53:12 99:22	36:3 42:5	settlement 40:9
saw 15:18	sealing 3:7	44:10,18,19,22	seven 119:4
36:12,15 53:22	sean 2:16	47:20,24 59:10	several 21:19
76:11 85:2	seat 21:25	60:17 62:24	29:25 54:24
119:10	26:24 65:4	67:8 75:9	share 38:17
saying 49:4	83:14	93:10,14,17	39:4 60:5
70:15 80:10,11	seats 39:24	97:18 100:9	119:5
80:14 90:16	48:7 61:16	101:24 104:7	sheridan 1:21
105:19 108:20	70:8,9 72:19	106:13 111:8	125:8,24
112:23 116:18	83:25	selling 61:15	short 66:5
says 35:21	second 18:14	70:8 72:17	show 35:17
40:13 42:2	43:8	send 19:4,5	41:24 49:17
43:13,24 44:15	section 42:8,13	113:4	51:25 59:21
46:11,13 47:16	42:20 44:12,24	senior 2:17	62:22 66:8
48:5 49:25	45:10	sense 15:17	78:9 93:7
63:13,19 64:3	security 64:9	76:5 77:3 81:5	118:6
67:20 74:25	64:12,15,16	85:14,24 86:12	showing 78:14
93:8 98:5	65:3,8,12,16,19	98:23 116:8	sierra 21:6
100:15 118:10	85:6,13,16,21	sensors 104:25	sign 12:16
scenario 11:13	see 35:19 36:6	sent 15:7 37:24	63:12
scheduled 26:8	42:9 46:25	sentence 43:19	signature
40:7,10,13,14	47:13 49:18	serve 11:9	125:22
40:16 42:17,19	50:11,19 52:3	57:14	signed 3:9,12
64:14 80:17,22	52:16 63:11,17	served 11:6	3:15 59:10,11
81:2,7,10,12	63:22 67:6,19	service 3:16	significant
83:12 84:6,6	67:22 76:16	42:17,20,22	14:15

[similar - supportive]

Page 26

similar 69:4 83:15 93:16 94:15 simply 65:17 89:12 single 7:9,10,19 14:12 21:25 61:16 65:4 sita 86:7,7 situation 64:7 73:24 six 8:13 21:15 31:25 skim 44:9 slightly 113:18 slot 18:15 slots 18:4 small 27:16 116:7 smaller 59:23 sold 39:24 48:7 sole 48:7 solicit 9:3,5 15:8 soliciting 15:14 somebody 19:10 22:14 49:5 65:11 68:24 somewhat 83:14 sorry 26:11,13 30:17 36:11 43:9 60:18 73:11,15,18	110:9 114:9 sort 11:2 18:8 26:19 33:18 41:11 55:8 93:12 95:7 97:10 116:22 sounds 69:4 77:3 southern 1:2 space 55:9 56:14 speak 23:10 34:2 68:25 86:22 speaking 90:9 95:24 105:22 116:21 spear 9:8 66:20 66:20,22 spear's 9:19 specific 18:6 21:8 29:16 30:5 40:11 52:15 93:15 112:4 113:22 118:22 specifically 15:16 22:20 29:17 30:15,23 34:18 48:5 50:13 51:14,18 54:14 63:8 67:17 72:17 74:9 75:18 83:8 85:19	115:4 117:16 117:23 speculated 72:23 spending 100:23 spirit 101:8 split 89:22,23 92:6 spoke 87:2,5 spoken 40:10 120:19 sponsor 95:3 spots 17:18,21 17:23 57:22,23 89:11 ss 125:5 ssco's 62:8 staff 32:18 33:2 stamp 44:25 45:4 66:15 118:9 stamped 47:7 110:21 standard 18:15 stands 45:5 57:13 104:24 start 30:8 35:10,11 started 79:10 starting 47:15 state 1:21 4:4,8 5:19 63:14 125:5,9	statement 85:4 88:17 statements 10:4,7 87:7 states 1:2 station 57:16 stay 116:24 stays 90:5 step 30:17 stipulated 3:4 3:19 stops 95:8 strictly 96:7 103:7 student 12:5 stuff 35:10 subject 19:21 21:17 subscribed 122:16 substance 112:23 sued 102:17 suggesting 94:16 suite 2:10,14 summary 92:3 93:9 support 39:14 40:18,22 41:12 96:14 100:14 102:4 104:18 107:2 supportive 10:8
---	--	---	--

[supposed - think]

Page 27

supposed 56:16 sure 39:3 45:10 52:14 66:4 70:11 106:16 107:7 surprised 29:19 surprising 30:2 susan 9:8,18 66:19,20,22 sworn 3:10 4:3 122:16 125:12 system 105:2 105:12,13,17 105:21,24 106:4	89:15 91:10 taxiways 89:10 technically 19:2 59:5 81:11 113:21 tell 7:2 44:17 71:2,3 72:21 94:10 104:21 106:21 temporary 57:25 ten 17:19 47:8 tenant 11:4 tenants 55:4 103:20 tend 29:22 term 14:10 24:3 45:14 57:8 86:7 87:10,14,25 88:18 90:11 99:17 terminal 21:24 29:3 30:14 42:15,15,18,23 42:23 43:3,4,5 43:13,15,16,23 43:23 45:11,12 45:15,21 47:18 49:25 51:5 54:5 55:2,6 61:14 62:2 75:2,21 83:16 90:3,5 115:16	terms 30:7,9 55:21 72:16 76:15 80:8 83:22 84:13 89:9 90:15 91:5 105:15 117:9 testified 4:5 73:12 77:8 120:3 testimony 6:14 24:2 36:14 37:22 54:9 110:10 115:14 119:3 122:10 125:14 thank 14:7 36:25 38:2 41:4 42:25 43:25 45:22 46:18 49:7 52:22 57:7 65:21 74:3 75:8,11 82:14 93:22 97:20 99:24 101:18 104:8 121:17 theodore 1:19 2:5 theory 95:8 105:16 116:3 117:2 thing 101:4 118:19	things 26:25 67:16 87:9 90:2 95:11,16 95:19 96:3,8 96:17 109:8 112:17,17 117:5 120:6,9 120:9 think 9:9 10:4 10:11 12:12 13:3 20:17,25 21:6,19 23:3,4 23:20,22 27:4 31:5 32:14 33:13 34:9 35:6 38:9 39:17,20 40:2 40:23 56:20 72:23,25 74:9 76:11,21 77:5 80:5 82:5,21 83:18 85:9 87:5,14,15 88:9,16 89:21 89:24 90:3,8 92:2,11,16 95:13,24 96:18 96:18 97:3 98:2,16,18 99:18 101:2,7 105:18 106:22 106:22 109:5 109:12 114:18 115:13,24 116:5,12,17,19
t			
t 3:2,2 4:2 58:16 78:3 123:2 124:3 125:3,3 126:3 126:3 take 5:7,9 27:5 30:16 49:9 52:11 56:13,23 60:9,14 65:22 66:14 78:13 100:2 taken 1:17 13:11,16 66:6 112:6 116:22 takes 94:24 talking 24:20 63:20 69:14 73:9 74:24			

[think - underneath]

Page 28

116:20 117:4 118:18,21 120:24 thinking 83:8 third 23:4 106:2 thought 72:8 72:22 three 17:23 25:3,8 56:25 thrown 87:15 tiedown 57:22 time 1:12 3:21 9:9,23,24 15:21 21:13 22:18,18 25:17 25:18 34:5 40:19 41:10 46:12 47:23 48:14,16 50:14 51:16 53:11 60:14 61:20 62:8,12 64:20 66:23 69:3 72:16 73:7,8 73:24 75:25 76:25 79:17 80:6 81:15 85:11,12 95:16 98:24 112:6 119:10 times 12:23 19:12 30:22 34:19 56:25 57:11 80:25	84:14 86:5 121:9 title 35:6 today 6:6 40:21 107:20 today's 6:14 together 32:16 57:5 76:24 told 27:21,25 28:5 69:2 72:19 73:3,5 73:22 85:23 105:25 took 31:24 38:8 48:18 119:4 top 35:22 41:25 47:14 63:9 topic 22:5 33:3 38:10 51:16 54:12 59:16 62:2 67:15 68:5 76:2,22 79:9 88:9 89:22 105:24 topics 31:20 32:24 total 65:18 91:5 town 98:7 tracked 103:9 117:24 tracks 105:2 tracy 23:5 traditional 25:15 65:15 83:15	traffic 21:21 32:23 56:20 79:12 89:9,15 90:5,11,12,14 90:17,21,23 91:3 96:4 98:4 98:7,25 102:14 117:6 transcript 122:5,10 transient 57:24 transportation 17:25 travel 26:20,21 26:22 27:9 traveling 27:7 trial 3:21 trinidad 7:16 7:17 trip 26:24 troutman 2:9 true 122:9 125:13 try 5:2 82:6 trying 40:24 71:9 76:12,20 76:23 79:15 81:5 102:25 tsa 65:14,15 tur 33:20 39:9 39:11,20 40:6 40:8,10,12,13 40:20 41:9 48:3 52:17 70:6 72:14	76:20 77:2 116:2,4,23 117:4,7 turn 22:14 83:16 turns 81:12 twice 87:6 two 13:3,23 20:20 22:22,25 56:5 type 116:19 types 7:8 29:23 56:5 64:8 79:14 96:4 typically 19:6 32:25 48:12 58:5,25 59:9 84:3 120:14,23
			u
			u 3:2 ultimately 11:3 um 35:23 47:19 66:17 unavoidably 55:22 99:4 undefined 87:15 under 7:11 19:6 25:15 26:23 51:4 66:8 76:17 80:17 81:8 82:22 116:24 underneath 20:19

[understand - wording]

Page 29

understand 5:2 26:19 46:14 50:25 68:21 76:12,20,23 81:5 82:6 112:13	54:18,25 58:6 61:14 62:3 75:2,21 85:22 90:3,5 117:9	volumes 79:12 voluntary 96:5 96:8 102:6 103:7,14	59:17 88:16,18
understanding 25:13 37:5 48:2 58:22 68:22 74:19 84:11,19 96:23 99:6 103:18	used 3:14 41:10 56:14 90:12	vote 81:25 96:11 100:12 102:2 104:16 106:24	web 5:25 webex 18:23 wednesday 18:14
understood 40:6 62:13,13	users 42:21 43:4,22 45:18	voted 115:4	week 80:25
unique 64:19	using 23:7 42:23 43:4,13 43:15,22 55:5 113:18	vrff 102:7 103:2,3 104:6	weekends 57:6
united 1:2 8:16 8:17	usually 18:14 29:15 57:3 120:18	vs 122:1 126:1	west 7:23,25 54:24 56:7 86:3
units 58:4	v	w	westchester 1:7 1:15 2:13 7:24 8:9 11:17,17 12:19 13:10 20:13,16 25:12 27:10 42:16 44:16 45:5,12 47:17 57:21 58:19 88:21 93:3,8 94:14 97:6 122:1 123:15 126:1
university 5:19 5:20	vacant 17:19	wait 5:4	whatnot 4:22
unsigned 3:13	various 26:23 102:16 103:15	waived 3:8	whereof 125:20
unsuccessful 98:15,17	vegas 64:4	wang 60:6,6,21 61:12,18 101:11,15 107:6	white 2:14 64:4 93:13
unusual 53:12 113:16	vendor 106:6	want 5:7 47:9 49:8 50:20 60:9,12 70:10 100:22	witness 1:16 3:10,15,17 4:3 68:11,14 108:14 112:10 121:23 125:11 125:14,20
update 120:17	verbal 4:20,22	wanted 22:14 24:13 109:8	won 17:14
updates 120:8 120:11	verbally 33:24 33:25	wanting 14:25	wording 76:20
urban 1:4 24:15	version 119:7	way 34:15 39:20 57:17 80:9 84:19 87:16 89:13 113:17 114:24 125:18	
use 21:25 29:3 30:14 42:14,19 43:3,16 45:11 45:16 47:18 50:2 51:5 54:5	victoria 111:19 111:21	ways 86:2	
	violation 29:2 33:20	we've 22:20 23:22 49:17	
	visit 57:4		
	vocal 14:13 67:15		
	volition 34:20		
	volume 116:6		

[words - zoom]

Page 30

words 84:20	82:8 89:7
work 4:23 6:2	91:23,24 97:9
13:24 14:2,3	99:23 102:11
32:15 35:7	106:22,22
67:21	108:19,19,24
working	109:21 110:18
105:17	111:21 112:21
works 64:12	112:21 113:15
85:25 111:21	119:2,6
113:17	year 7:5 8:19
writing 33:23	9:22 12:12
111:23 112:17	16:14,19
written 34:15	years 8:15 25:4
39:21 40:21	28:19 29:25
77:2 88:13	58:25 65:8
93:13	90:8
wrote 111:14	york 1:2,7,15
x	1:20,22 2:5,14
x 1:3,10 123:2	4:4,13 125:5,9
124:3,13	z
xo 1:4 24:15	zoom 18:23
y	
yeah 7:16 9:7	
10:17,19 13:15	
22:11 23:9	
43:12,20 45:3	
47:15,22 50:14	
53:18 58:22	
60:7 62:15	
63:15,22 64:2	
66:2 68:18	
73:10,19 74:2	
75:7 77:13,23	
80:14 81:19	

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at www.veritext.com.